THE HINDOO PATRIOT

With which is incorporated the Indian Field.

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THE WEEK.

MONDAY, 12TH FEBRUARY.

THE GOVERNOR OF MADRAS in presenting to His Highness the Maharaja of Travancore the insignia of G. C. S. I. delivered the following graceful address:

Maharaja,—Called by the customs of your country and the laws of an ancient line to rule over one of the fairest and most interesting regions which Asia has to show; after having applied yourself with much success to study the learning of the west, your Highness has fulfilled your trust so as to merit and to obtain the approval of our august Sovereign Her Majesty the Queen, Empress of India. In token of that approval Her Majesty has been graciously pleased to place you in the highest class of the most exalted order of the Star of India, and has dispensed with those ceremonies of investiture which usually taking place in a far-off City, whence you have but lately returned, would have been productive of some inconvenience to your Highness. This being so, it has become my duty under the authority of the Viceroy, and following strictly the precedent set by my predecessor, Lord Napier and Ettrick, to deliver to you in person the Insignia of this most exalted order. Long may you wear them amidst the affection of your people, secure from all external foes under the guarantee of the great British peace, and long may you continue to co-operate with those who from time to time are commissioned to govern the Madras Presidency, and to take part in the process of bringing the young civilization of the west to breathe a new and higher life into the old civilization of the east. It is particularly agreeable to me to be the agent of conveying to you this recognition in the presence of several members of your illustrious family, one of whom has herself received a high and peculiar mark of Sovereign favour. It is well, too, that this ceremony should take place in this noble Hall, where your Highness is surrounded by the European public of Madras by all of whose members you are esteemed, surrounded also by its native public, to whose members you are a representative man, and who feel an honour done to you as an honour done to them. Judging from a conversation with you the other day, I think, too, that it will be peculiarly agreeable to your Highness that this ceremony should take place in the presence of the portrait of Lord Cornwallis, whom your Highness justly venerates as the saviour of Travancore in a grave crisis, and who is particularly interesting to us all as one of the by no means too numerous names which history has surrounded with a halo, not for success which was often denied to him, but for his rectitude of purpose and unflinching devotion to what he thought right, amidst the most varied and not unfrequently the most trying circumstances.

A HINDU MALTHUSIAN LEAGUE has been formed in Madras for the purpose of spreading among the people, by all practicable means, a knowledge of the law of population, of its consequences, and of its bearing upon conduct and morals.

A CONTEMPORARY is informed that the Russians have opened a mercantile office in Kabul, and propose to start a branch establishment at Jellalabad. Of the Russian subjects at present in Kabul, one is a Mahomedan from Samarkhand, and two are Russians in Usbeg dress.

A NATIVE JUDICAL OFFICER has sent us this letter on the subject of the Rent Law:

It seems to be the opinion of some Government officers that "the zemindars are not the *actual proprietors* of the soil, that they have vested rights of ownership but are the delegated agents of the ryots and were gratuitously invested with a right of ownership in the soil." Lord Hasting's minute dated 31st December 1819. In fact the policy of the laws of Lord Cornwallis was impugned and held to be erroneous by subsequent rulers as will appear on a reference to the said minute of Lord Hastings and that of Sir Edward Colebrook dated 12th July 1820, who held "the errors of the Permanent Settlement in Bengal to be two fold, 1st the sacrifice of what may be denominated the yeomanry by merging all village rights whether of property or occupancy in the all devouring recognition of the zemindar's paramount property in the soil; 2ndly in the sacrifice of the peasantry by one sweeping enactment which left the zemindar power to make his settlement with them on such terms as he might choose to require. Government indeed reserved to itself the power of legislating in favor of the tenants; but no such legislation has ever taken place and on the contrary, every subsequent enactment has been founded on the declared object of strengthening the zemindar's hands."

There can be no doubt that the present tendency of the Government towards improving the condition of the tenantry at a sacrifice of the existing rights of the landholders by further legislation originated from that view of the legal constitution of Lord Cornwallis. It will be well therefore to criticise the ratio *decidendi* of such a thought and determine the premises whereon such a conclusion is based. Istly Assuming from an historical point of view that Government became absolute owners of all lands in Bengal by conquest and that the Crown became the absolute sovereign of the territories acquired by the East India Company (see statute 53 Geo. III. Chap. 155, S. 95) and that all pre-existing rights determined by it, it would be indisputable that on that consideration neither the aristocracy nor the tenantry had any status at the time of the Decennial Settlement. If so there was no reason why the latter should be entitled to greater consideration than the former.

To argue that during the Mogul Empire only the tenantry existed and that there was no intermediate class of land-owners superior to the agricultural population and subordinate to the ruling power is to ignore history (see Carnegy's Land Tenures, Elphinatone's H. of India p. 21) and well-known facts (see the Mayor of Lyons v. East India Company 1 Moore's 1 A. P. 274) where it is said that the Calcutta factory was founded in a district purchased from the *owners of the soil*. A glance at the resumption laws if not any thing else leads one to think that the feudatory system was in vogue in India both during as well as on the decline of the Mogul Empire. Hence it cannot be denied that both the aristocracy and the tenantry classes existed at the time of the Decennial and Permanent Settlements. If previous occupation has created an inchoate right for recognition by the British Government after the Company's accession to the Dewany, the cause of the agricultural population; a *fortiori* it did so in respect of the aristocracy of Bengal. Hence it was that settlement was directed by the Regulations of Lord Cornwallis to be made with "the *actual proprietors* of the land" (Sec. 4 Reg. VIII. of 1793) and hence it was that malikana was allowed to the *actual proprietors* who refused to enter into engagements with Government for the Jumma required of them (Sections XIV. XV. of Reg. VIII. of 1793). Of course the word "proprietor" was not used in the sense of owners with absolute dominion but in a limited sense (Mr. Shore's minute of 2nd April 1788 quoted by Mr. Field in Digest of Regulations page 31 foot-note.) But the distinction is immaterial so far as the agricultural class is concerned. It must be admitted, therefore, that both the aristocracy and tenantry were entitled to equal consideration at the time of the permanent settlement, and thus it was that while Lord Cornwallis conferred exclusive rights on the former he made a distinct reservation in favor of the latter class. Again, if it be suggested that the agricultural people having increased by their industry the resources and thus contributed to the wealth of the British Empire have a claim to the consideration of the Ruling Power it might equally be added that the zemindars having stood as security for the due realization of the Government demands and in some cases advanced capital to the tenantry for cultivation have equal claims upon Government. Hence in Equity both are entitled to equal consideration. But I proceed further and say that assuming that the East India Company held the territories then in the possession of and under the Government of the Company in *trust* for the crown (sec. 16 and 17 vict. cap. 15 s. 1) and that therefore the crown retained the right of legislation still the covenant which Lord Cornwallis as the representative and duly authorized agent of the supreme power effected with the zemindars on good consideration—their promise to stand as security for the punctual payment of the revenue—cannot be annulled by Her Majesty's Parliament and a *fortiori* by Her Viceroys. The obligation of the zemindars corresponds to their right under the contract, which might be described as a *quasi contract* and therefore binding on the Crown (See Austins Jurisprudence p. 133) Apparently then there is no reasonable foundation for the opinions enunciated by Lord Hastings and subsequent rulers and that in a judicial point of view any more interference with the existing status of the land-owners would be a direct infringement of their *vested rights*. Let us now take the practical view of the subject. I have travelled through many districts viz., Comillah, Burisal, Burdwan Nuddea and parts of Hooghly and in my judicial capacity have had experience of the different grades of population of those places. I found at Comillah and Nuddea the tenantry are almost raised into the position of *semi talookdars* and the custom of *transfer* of occupancy rights prevails to a considerable extent. Although I have not had sufficient experience of the existence or otherwise of such a custom here still having lately had connection with registration duties here, I have been in possession of certain facts bearing on the subject.

I have come across several instances of sale of occupancy tenures and generally for a large consideration as compared with what the sale of undertenures fetches here. You will be struck with surprise to hear, Mr. Editor, that an occupancy holding paying a varying rent of Rs. 38 was sold in February last for Rs. 513 and another paying a changeable rent of Rs. 24 was sold for Rs. 246 in June last and a third paying a rental of Rs. 3 was sold last January for Rs. 100.

This is the result of the changes effected by Act X of 1859 and Act VIII. of 1869,—and you can therefore imagine what would be the consequences if by further legislation new occupancy rights be created and possession for a shorter period than 12 years invest a tenant with occupancy status and enable him to sell his tenure at will without reference to the landlord's consent. Will it not be setting things topsy turvy and raising virtually the tenantry into owners of the soil and reducing the zemindars to mere annuitants? Mr. J. Field in his digest of Regulations page 24 foot-note and page 40 foot-note has, quoting Mr. Harrington and other authorities, pointed out that originally the holding of a khodkhust ryot was not transferable. If so, is it not absurd to invest mere occupant tenants with the power of transfer at option? But apart from a consideration of the consequences to Zemindars and other landowners let us see how the intended change will affect Government itself. Under the last proviso to section 37 of Act XI. of 1859 auction purchasers are disabled from ejecting occupancy ryots though under Section 26 of Act I of 1845 the limitation was in favor of resident ryots. The prospective change will bring all future occupancy rights within the scope of that proviso and the result would be that none would like to bid when a zemindari would be put up to sale for arrears of revenue under Act XI of 1859. Will it not be absurd to make their occupancy holdings the mere creatures of Act X transferable?

Without mentioning that any interference of the zemindari rights as constituted and confirmed by the Permanent Settlement will in the same proportion weaken their corresponding obligations to Government for the due discharge of the Public Revenue? I may remark that the interference will materially shake the respect to the Legislature for as observed by Bentham "property" is nothing but a basis of expectation—the expectation of deriving certain advantages from a thing which we are said to possess in consequence of the relation in which we stand to it. The legislator owes the greatest respect to this respect which he has himself produced. When he does not contradict it he does what is essential to the happiness of society; when he disturbs it he produces a proportionate sum of evil." (Bentham's theory of legislation p. 113) Before introducing any innovation in the existing Rent Law the Legislature should bear in mind that "the only security of society and the last security for the labourers themselves arises from the security of proprietory rights". (Lord Brougham's British Constitution p. 91.)

Yours truly,
A MUNSIFF.

TUESDAY, 13TH FEBRUARY.

FRESH overtures were recently made by the Burmese Government with a view to the conclusion of treaty engagements with the British Government. Their proposals were however, received after the expiration of the period prescribed by the Governor-General in Council for the renewal of negotiations, and were, moreover, not in themselves acceptable. They have consequently been declined by the Government of India.—*Press Commissioner's Office.*

POLITICAL Agent, Bhopawar, reports that, on 5th instant, he attacked and dispersed body of insurgents near Ali Rajpur, but Bhils are said next day to have again assembled near Amkhoot, whither troops are marching.

WE HAVE RECEIVED the following telegram from Madras:

Madras public feel the death of Sir Salar Jung as a national loss and think it impossible to find a worthy successor to him. considering the existing circumstances of Hyderabad State a Council of Regency composed of two or three of the most prominent, members of the Mahomedan community of Hyderabad and one or two well known and tried Hindu statesman like Rajah Sir T. Madava Row, Rajah Sir Dinkar Row is, it is generally believed, necessary to prevent any retrograde move in the administration of the country, the rulers of which are Mahomedans and the people chiefly Hindus.

WE HAVE received the following telegram from Jorehat:

A crowded public meeting was held at Jorhat on the tenth instant to consider the draft land laws for Assam, Raja Nornarayan Singh Bahadur was in the Chair, and the following resolutions were unanimously carried. First Resolution.—that in the opinion of this meeting many of the provisions embodied in this draft land laws are injurious to the best interest of all classes of the people and are calculated to prove a germ of endless litigation and discontent throughout the province. Second Resolution.—that a committee composed of seven gentlemen be appointed to draw up and submit with the signature of the Chairman of this meeting, as early as practicable a memorial to the Chief Commissioner setting forth the objectionable points in the said bills discussed in this meeting. Third Resolution.—that on the occasion of the expected visit of the chief commissioner to Jorhat an address be presented to him offering the thanks of this meeting for the concession to this district of a larger measure of local self-Government and for giving to the people an opportunity to express their views on the proposed land laws, and also briefly adverting to the general features of the said bills, and that this meeting appoints the following gentlemen to form a depution to wait upon His Honor with the said address. The Annati Gossain Raja Nornarayan Singh Bahadur, Doorgeshur Booragoha, Dangoria Hemkant Gohai of Raj family, Jagannath Baruah B. A., Gungagobind Phooken, Lakhminath Gajpooria Borooah, late extra Assistant Commissioner and Rimessur Kalising Borooah. Fourth Resolution.—that a vote of thanks be recorded to Mr. G. E. Macleod Esq. Assistant Commissioner of Jorhat, for kindly permitting the use of the school-house for holding this meeting. A vote of thanks to the Chair brought the meeting to a close. The audience was estimated at about a thousand persons.

A CORRESPONDENT asks:

"Whether it is with the knowledge of our kind Lord Ripon that the office of the Comptroller General is kept open on some Sundays and *Gazetted* Holidays?—for instance the office will not be closed on next Tuesday when every Hindu is required to worship the Goddess of Learning—and whether the clerks can be compelled to work extra hours without any extra allowance as at the time of the Budget in the above office?

A CORRESPONDENT at Midnapur thus complains of the management of Khas mehals in that district:

In the district of Midnapore there are many Khas Mehals of Government, especially in the Contai Sub-division there are several Khas Mehals. Mr. Slack is the Deputy Collector of Khas Mehals in Contai and under him a few Sub-Deputy Collectors are appointed to collect rent. The Deputy Collector and his subordinates Sub-Deputy Collectors have in a

manner turned deaf ear to the cries of poor ryots. I have personally witnessed that Shasi Babu the Sub-Deputy Collector of Kawarahoual Pergunnah is bold enough to execute certificate and distress simultaneously, but it is written in the certificate according to Sec. 10 of Act VII. of 1880 that the tenant on whom the certificate is executed should have either to pay rent or show cause why it should not be paid in the Khas office within 30 days from the date of execution. Is not Shasi Babu breaking the law by executing certificate and distress simultaneously? The Government ought to take notice of these arbitrary proceedings. The ryots are not indisposed to pay rent to Government; they are hesitating to pay rent simply because they are awaiting the decision of the High Court as their appeals against increase of rent are pending in that Court. Is it right that our Christian Government should force poor ryots to pay increased rent by taking *dakhilas* from Tehsildars while their appeals are pending in the High Court?

NAGENDRA NATH BANERJEA.

WEDNESDAY, 14TH FEBRUARY.

A CORRESPONDENT writes:

Anent the Hetampore Dispensary your remark on Dr. Payne was altogether based on *exparte* statement. I think there was good justification of Dr. Payne's not complying with the Rajah's request of allowing him his own nominee. For although by the Dispensary Regulations the Rajah had every right to nominate his own man, yet how often we find such privilege is abused, and that opportunity is taken advantage of to subserve the purpose of some designing man to bestow his patronage on a near relation. If public charity be the sole object, why not leave the nomination to the Medical Department, which is better judge of the qualification of every candidate? What is the Civil Surgeon for, if he is not able to report on the fitness or otherwise of the Medical Assistant? But if in the garb of public charity one tries to benefit himself or his relation, the sooner such motive is exposed the better. Such dispensaries ought to be removed altogether from the list of Government institutions. I do not presume to insinuate that the Rajah is actuated by any such sordid motive, but I maintain that as a guarantee against such jobbery, the proceeding of the Medical Department was unassailable.

We do not agree with our correspondent. A donor has every right to select his own man, particularly when the Dispensary Rules distinctly provide for the same. It is absurd that one should pay, and another should appoint.

THE PRESENCE of the Viceroy at the distribution of prizes to the pupils of the Mandul School at Nababgung was a stimulus to munificent benefactions. Babus Sridhur and Bansidhur Mundul gave Rs. 3,000 for the establishment of a public library and a like sum for a scholarship. Rajah Rajendranarain Deb Bahadur gave a gold Medal, and Rani Kristo Moni, daughter-in-law of Sir Raja Radhakant Bahadur, both Zemindars of Nababgung, presented two medals, the first a gold medal, and the second a silver medal, the award of which was left to the pleasure of His Excellency the Viceroy.

WE HAVE received the following letter from the Imambarah of Hooghly:

The Imambarah, Hooghly, 11th February 1883.

My dear Sir,—I have received with deep regret the sad news of *the untimely death* of the greatest Mahomedan gentleman of India the illustrious and famous Nawab Sir Salar Jung Bahadur, G.C.S.I.; and I hasten respectfully to offer my very sincere and humble condolment to the Imperial Government, and also to the Nizam's Government, and lastly to the noble family of the late lamented statesman through the press in the name of my co-religionists. Kindly publish this in your valuable journal, and oblige.

Your very faithfully,
ASHRUF U. AHMED.

LATEST reports state that Bhil disturbances have apparently subsided. The three principal leaders have fled or are in hiding with few followers. Troops will not advance beyond Dhar.—*Press Commissioner's Office.*

WE HAVE received a copy of the reply of Dr. Chevers to the address of the medical practitioners of Calcutta. As the reply has been published in the morning papers we consider it unnecessary to encumber our space with it.

WE HAVE received the following letter regarding the Sind, Punjab, and Delhi Railway:

Perhaps you might think it well to ventilate the following question in your columns:

'Has not the Sind, Punjab, Delhi Railway Company got hold of too large a tract of country.'

The enclosed extract from the annual report of the Director General of State Railways, to my poor judgment, shows that had the Company not been allowed to acquire control over so large a territory the much required Railway to Ferozepore would long ere this have been an accomplished fact. Competition with so powerful a Company has, see last paragraph of the extract, been impossible, the result has been trade stagnation, and the isolation of the only arsenal in the North-

Your faithfully,
CHERCHEUR.

We are sorry we cannot for want of space give the extract forwarded by our correspondent.

WE HAVE received a copy of a petition which the inhabitants of the villages of Manuhurpur, Dankuni, Gobra and Beladanga have submitted to His Honor the Lieutenant Governor for remission of their share of the drainage cess. The ground on which they claim exemption from the payment of the cess is that far from benefiting from the excavation of the Dankuni khal their lands have deteriorated in consequence of it. It would appear that an enquiry was held by Mr. Wyer, the Collector of Hooghly, and Mr. Carstairs, sub-divisional officer of Serampore, on the subject, which has confirmed the statements of the petitioners. They had applied to Mr. Wyer for relief, but he could not afford it as the application had been submitted after the expiration of the time prescribed by law. If this is the only reason for rejecting the petition, Mr. Wyer ought to have remembered that the loss could not be fairly ascertained without a sufficiently long experience.

THURSDAY, 15TH FEBRUARY.

WE HAVE much pleasure in giving insertion to the following letter:

Your attention has doubtless been drawn to the state of affairs in the Gurgaon District, to the terrible facts repeated in the columns of the *Civil and Military Gazette*, and now Rohtak is to follow suit, apparently. It would be useless to refer to the past, the inexperienced or bigoted officials, doubtless well intentioned persons, are of course as grieved as any of us, at the result of their work. The present is what concerns the State, the money wasted on elaborate settlements has gone beyond recall; the State, represented by an enlightened tho' not of course infallible man, must apply a remedy, a simple matter, the details of which I need not trouble you with, and that it will do so, and that too, right promptly we can have no fear about; but the future? is no lesson to be derived from the past? oh! yes, a very decided one, the Settlement Department must be suppressed once for all. The work must be left to the District Staff, but the present system must be re-organised, it has been tried and has been found wanting, simply because, to make use of a homely proverb, a Jack of all trades can be a master of none.

Behold a scheme, which from its clearness will doubtless commend itself to all who will approach the subject with minds devoid of all bias, Utopian but not perhaps quite impossible.

District Staff.

	NAME OF OFFICIAL.	DUTY.
1.	Accountant.	Finance.
2.	Commander.	War and Diplomacy.
3.	Communicator.	Post Office and Telegraphs.
4.	Constructor.	Public Works.
5.	Curator.	Care of Crown Lands.
6.	Doctor.	,, The sick.
7.	Guardian.	,, Petty Native States.
8.	Tailor.	Custody of convicts.
9.	Judge.	Decision of cases.
10.	Protector.	Emigrants and Immigrants
11.	Prosecutor.	and the famine-stricken.
12.	Supd. of Railways.	Police work.
13	Supervisor.	Railways.
14.	Teacher.	Care of Larger Native States.
		Education.

And others in special cases. All but No. 2 to be open to Natives of this country, whether of European, colonial, or Tridigenous birth. The present arrangements for governing the country could be readily altered to suit this system, viz., 1. Governor General appointed by the Queen Empress aided by a minister for each Department appointed by the House of Representatives numbering 600 to 800 men elected by the people.

Yours faithfully,
HELOT,

WE HAVE received the following letter anent our article on the Salem riots from a correspondent at Mayavirum:

Your able leader on the Salem riots hit the right nail on the head when you remarked that they were owing to the negligence and incompetency of the Salem executive. You will be glad to see from the following extract from the judgment of the Local High Court that that august tribunal confirms your view of the case.

Referring to the *exparte* order of the Magistrate prohibiting the Hindus from passing by the mosque with music during the Marianman festival between July 21st and August 3rd of 1882 the 'chief Justice among other things observed: His Lordship felt compelled to notice the proceedings which ensued including the riots of July and the appeal on the part of the Hindus that the Military should be kept in the town, and to express an opinion on them, because they have been put in evidence, and support the argument of the prosecution (*i.e.* Government) that the irritation produced by the order of the Magistrate, operated to provoke the offence into which we are enquiring, and induced men in the position of the appellants on the failure of legal remedies, to seek one in highly criminal acts."

The High court repeated the opinion of the Sessions Judge who observed—

'Religious fanaticism had little to do with outbreak. It was rather a feeling of indignation that the law was not strong enough to protect the Hindus in the exercise of their civil rights or in other words, a feeling that the authorities stood in awe of the Mahomedans:—Further on the court observed on Sundram chetty's petition. To the ignorant mind it appeared that because the Mahomedans had shown fight they were in future to have their own way.'

In another place the court observed—'The paragraph of the petition to which I have referred, doubtless represented correctly the opinion of the Hindus, that they were deprived of their rights because the Mahomedans were troublesome. Remarks to the same effect could be given in copius extracts but one more will be sufficient.

"Such an order issued under such circumstances involves an admission that lawlessness is anticipated, and that at the time the executive is not in a position to afford adequate protection." After this it is to be hoped that the Government will see fit to exercise its prerogative of mercy in favor of the unfortunate men who always led a respectable life and deal with the Salem Magistrate in such a way as his merits deserve.

We concur.

WE LEARN from a correspondent that the second anniversary of the Santipore Friendly Reunion was celebrated with great *eclat* for four days. On the first day the 2nd February current, in the presence of some distinguished visitors and a large concourse of spectators Pundit Sivanath Shastri delivered a discourse "on ancient and present times," at the end of which the Sub-Divisional officer Babu Ramchuru Bose thanked the lecturer on behalf of the members. On the 2nd day there were some athletic sports and the reading of another discourse by Babu Kristocoomar Mitter on "Budha and Cheitanna," and the proceedings concluded with music vocal and instrumental. On the 3rd day there was a shooting match, reading of prize essays "on Reunion and Educated People," Circus and a theatrical exhibition. On the fourth there was a Nuggurkirtun procession.

WE LEARN from a communique from the Bengal Office that the Egyptian and the Turkish Sanitary Boards have withdrawn Quarantine from the Red Sea Ports.

REFERRING to the recent orders of the Government of India relating to the dismissal of Government servants a correspondent observes:

"Do these orders apply to the hords of non-gazetted uncovenanted servants, who are as a rule denied the benefit of clergy and dismissed, degraded, suspended, fined at the pleasure of their superiors. As a rule their appeals are never listened to but are disposed of with the steoreotype reply,—"Decline to interfere." With them rules of codes whether for leave, allowance or pension are as naught. Are the Government of India aware of this practice, and what do they do to check the irregular and arbitrary practices?

FRIDAY, 16TH FEBRUARY.

A CROWDED meeting of the Victoria Institute of London was held on the 15th January last at the Hall of the Society of Arts, at which Dr. Stokes F. R. S. Secretary and Fellow of the Royal Society and Professor of Mathematics at Cambridge University read a paper on Modern Scientific Thought.

WE LEARN from a correspondent that a dacoity was committed on the night of the 10th instant at Narainpore a village about ¾ths of a mile from the Bhastara Police Station. The victim was one Bhuggobuttychurn Chuckerbutty, whose aged mother about 80 years old was struck on the forehead with an axe and his sister-in-law was pierced with a spear. The loss is estimated at Rs. 4800 in cash and jewels. The Police was near, but took no action. We are told that the Police are rather slack in pursuing the enquiry. We hope the local authorities will be up and doing.

WE HAVE received a communication from Burrisal relating to the harsh and arbitrary conduct of the sub-divisional officer of Patuakhally in the District of Backergunge. His treatment of the persons who resort to his court on business is said to be rude.

REFERRING to the tax on date trees and date juice, the same correspondent says: "Since date juice has been brought under the excise law the trade in date juice and date gur is gradually, and steadily declining. In this district (Backergung) this tax has been made doubly oppressive by leaving the work of collection of the tax to the village police, who count the trees and virtually fix the assessment. The people here do not use this juice for making *tari*—in fact they do not know to make *tari* and do not drink *tari*. Great oppression is practised upon the poor people on the pretext of assessment and levy of this tax. It is feared eventually the cultivation of date trees will be extinct."

SIR S. BAYLEY, the Press Commissioner informs us, has proceeded to Hyderabad to confer with the Resident regarding the final arrangements to be made in consequence of Sir Salar Jung's death.

THERE WERE 244 deaths in Calcutta during the week ending 10th February, of which 33 were from cholera, 3 from small-pox, 63 from fever, 34 from bowel-complaints, five from accidents and suicide, 22 from pthisis and asthma, 10 from tetanus and the rest from other causes.

A CORRESPONDENT informs us that a crowded and enthusiastic meeting of the Municipal Commissioners of Barahanagore was lately held under the presidency of Newab Abdul Lutief Khan Bahadur to consider the petition of the inhabitants of that locality to separate themselves from the northern wards of Dakhinassur, Areadah, Belghuria, Basdebpore, Kamarhati and Napara, forwarded to them by the District Magistrate for opinion. The representatives of the wards to be detached were present and offered no objection to the prayer of the petitioners. Barahagore differs from Bali in this respect, that whereas the latter complained that it had derived no *quid pro quo* for the contribution it made to the Howrah Municipality, Barahanagore urges that it has helped its neighbours so long, but that it can no longer do

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so. The time has arrived for local self government in the strictest sense of the term.

SATURDAY, 17TH FEBRUARY.

THE AMRITA BAZAR PUTRIKA culls the following from the *Medini* of Midnapore :

"The other day a Brahmin gentleman with his wife was summoned to appear before the Sessions Judge of Midnapore as witness, and after the deposition of the husband, the wife, a young girl of fourteen, was placed on the dock for examination. The Judge insisted on having the veil removed from her face ; she, of course, refused to do so. The Judge, however, would hear of no excuse whatever, the veil must be removed. To our shame, we must say, it was a Brahmin clerk who had the Hobson's choice of executing the revolting deed, and he did so amid the repeated resistance of his victim. The shock was too much for the poor girl. She *fell down in a swoon*, and the Judge was obliged to postpone her deposition."

We respectfully call upon both the Viceroy and the Lieutenant-Governor to enquire into the truth of this report. It is outrages of this kind which tend to alienate the feelings of the people.

IT IS STATED that the Nizam wishes that Liakuth, the eldest son of Sir Salar Jung, should succeed his father as Minister of Hyderabad. It is stated that he will be associated by a Council.

IT IS STATED that the funeral cortege of Sir Salar Jung was followed by 500 officials, and 5,000 others including members of his household, retainers, and nobles and gentry. Military honor was paid to his remains. It is said that there were two lacs of people in the streets, on the terraces, and at the windows. Men, women, and children all wept aloud, and beat their breasts as the procession passed. Even the Arabs and Rohilas in the procession flung themselves on the ground, frantic with grief. The general wail was—"Why were we not taken and he left. Better that 100 die, and the support of 100 live." Thus passed away the greatest Indian statesman of the day !

HIS HIGHNESS the Maharaja of Tipperah has returned to Calcutta from pilgrimage in the Upper Provinces. He was received at Howrah by Mr. Bolton, Under-Secretary to the Government of Bengal. His Highness was present at the Evening Party at Government House last night.

THE EVENING PARTY at Government House last night was a great success. A musical corps discoursed sweet music.

AN INDEPENDENT BRITON in the columns of the *Englishman* takes this original view of the proposed amendment of the Criminal Procedure Code : "So far as regards the provisions relating to Europeans, our philanthropic Government are merely discharging a political debt found to be due by them to the Natives of Bengal upon the settlement of the account opened some time ago by the former with the latter, through their political broker, the Hon'ble Jotendro Mohun Tagore." If the Bill be looked upon as a debt of honor, all the greater honor to the authors of it. The "political broker," who has brought about the 'squaring of the accounts," also deserves thanks.

IT IS stated that Babu Devendronath Das, who distinguished himself so creditably both in the Calcutta University and the University of Cambridge in England, has been appointed Professor of Sanskrit in the City of London College. It will be remembered that Babu Devendronath Das, after obtaining his degree in Cambridge, came out to India for a short time. He was strongly recommended for employment in the education department of Bengal, but Mr. Croft did not choose to avail himself of his services.

THE VAKILS of Bankipur have in the name of the local community voted an address to Mr. Beveridge as the Judge of the district, who is going away on leave This is as it should be. Mr. Beveridge was very earnest in doing away with the clumsy Hindi language and character, and obtained the sanction of the Bengal Government for the introduction of the Roman letters in his work. He also proposed to outlaw the whole native community by declaring them unfit to sit as Jurors at criminal trials. The Vakils cannot but appreciate these services. Bandinage apart, Mr. Beveridge is a really good man, good judge, and good friend of the people of this country, but we do not like the address-giving mania.

WE HAVE to acknowledge with thanks the receipt of the under-mentioned publications and periodicals : 1. Descriptive catalogue of articles exhibited at the Calcutta Exhibition of Indian Art-Manufactures of 1882. 2. First Report of the Curator of Ancient Monuments in India for 1881-82. 3. Army Circulars for December 1882 and January 1883. 4. Agricultural Banks; and Supplemental Legislation for Agricultural Relief. By A. P. W. 5. Students' Bengali Atlas of Modern Geography. By Sasi Bhusan Chatterji. 6. Annual Report of the administration of Land Revenue in Assam for 1881-82. 7. Statistics of the working of Indian Railways for half-year ending 30th June 1882, Part II. 8 Register of Original Meteorological observations in 1882, reduced and corrected. 9. Prospectus of the Rangoon Institute of Industrial Arts. 10. Calendar of Mail Steamer Departure from Bombay and Calcutta of Time Tables relating to the principal steamer mail services &c., No. XIII, January 1883. 11 Vedbati or the Faithful Wife—a drama in Bengali. By Hurrish Chunder Haldar. 12. Chitta Runjini—an illustrated Bengali periodical edited by Rajrajender Chunder Vol. I. No. 3. 13. Bijyan Durpun—an illustrated Bengali monthly, Vol. I, Nos. 5 to 8.

WE TAKE from the morning papers the following telegrams of the week :

London, February 11.—A car-driver, named Kavanagh, has turned informer and given full particulars of the Phœnix Park murders, which conclusively prove that the prisoners Delany, Carey, Brady and Kelly, now under examination for the conspiracy, were the assassins of Lord Cavendish and Mr. Burke. Kavanagh also confesses to having driven the murderers of Mr. Field, the Juryman, in the Latter-frack murder case. The trial has been adjourned until next Thursday. The Jury in the case of the *United Ireland* newspaper, whose Editor was arrested for publishing seditious articles, have been unable to agree. The Danubian Conference has decided to admit Roumania and Servia to a consultative voice in the Danubian Commission. Bulgaria will not be admitted. The Conference has adjourned until Tuesday.

12.—The Roumania Government has protested against having a consultative voice only in the Danubian Commission. Musurus Pasha attended the Conference on Saturday.

13.—Roumania has declined to participate in the Danubian conference.

14.—The *Times* publishes a telegram from Cairo, stating that the Egyptian garrison at Bara has surrendered to the Mahdi.

15.—The statement made by the *Times* of the death of Cardinal Maccabe is untrue.

15.—Parliament was opened to-day by Royal Commission. The Lord Chancellor read the Queen's speech to the House, which was as follows :—My relations with all the foreign Powers continue to be friendly. Tranquility has, I am glad to say, been restored in Egypt, where the Khedive has shown great clemency in dealing with the leaders of the late rebellion. The withdrawal of my troops from Egypt is proceeding as expeditiously as a prudent consideration of the circumstances of the case will permit. The reconstitution of the Egyptian Government, and the reorganisation of affairs under the authority of the Khedive, has partly been accomplished, and it will be my endeavour to secure ample provision for the exigencies of order the just representation of the wants and wishes of the Egyptian people, and the observance of existing treaties. I have fulfilled my promise to submit to the friendly consideration of the Sultan and the Great Powers the arrangements which appeared to me best fitted to insure the stability of the Khedive's Government, the prosperity and happiness of the Egytian people, the security of the Suez Canal, and the maintenance of peace in the East, and I have felt confidence in the just appreciation of my efforts by other countries. A Conference of the Great Powers is now being held in London for considering measures for better securing the freedom of navigation of the river Danube. The restoration to Cetewayo of the greater portion of his territories will, I hope, lead to a more stable Government in ZuluLand and the maintenance of friendly relations with the natives. I am glad to notice that the social condition of Ireland continues to improve, and that agrarian outrages have sensibly diminished, whilst the law is everywhere upheld. The existence of dangerous secret societies in Ireland demands the unremitting energy and vigilance of the executive. Her Majesty then enumerates the principal measures to be brought forward during the session, which include measures to codify the Criminal Law; to establish a Criminal Tribunal of appeal; to amend the ballot, patent, and bankruptcy laws, and also for prevention of corrupt practices at elections ; the better government of London ; the reform of local governments and prevention of floods. Bills will also be introduced regarding the Police and Universities of Scotland ; education in Wales, and compensation to tenants in England and Scotland for improvements. Having liberally devoted time to the urgent needs of Ireland, the claims of Imperial legislation and Great Britain will demand their just regard. [The above message was delayed by mutilation.]

INDIAN ASSOCIATION FOR THE CULTIVATION OF SCIENCE.

(210, Bow-Bazar Street.)

(SESSION 1883.)

Lecture by Dr. Mahendra Lal Sircar, on Tuesday, the 20th Inst., at 7½ P. M.

Subject : Fundamental Phenomena of Frictional Electricity.

Lecture by the Very Rev. Father Lafont, S. J., C. I. E., on Thursday, the 22nd Inst., at 7½ P.M.

Subject : The Pendulum and Central Forces.

Lecture by the Rev. Father A. de Penaranda, S.J., on Friday the 23rd Inst., at 7½ P. M.

Subject : The two chief Motions of the Earth, and their Consequences.

Lecture by Babu Tara Prasanna Roy, F.C,S., F.I.C., on Saturday, the 24th inst. at 3 P. M.

Subject : Compounds of Hydrogen and Oxygen. Composition and Properties of Water.

The Hindoo Patriot.

MONDAY, FEBRUARY 19, 1883.

THE CRIMINAL TRIAL OF EUROPEAN BRITISH SUBJECTS.

THOSE who oppose Mr. Ilbert's Bill for the extension of the jurisdiction of certain Criminal Courts over European British subjects have not evidently considered the very limited extent of its scope and object. It simply seeks to abolish *race* distinction in the trial of European British subjects as far as Native Civilians whether appointed by competition or nomination are concerned. Practically the power will be conferred on about half-a-dozen Native Civilians. The law would give power to the local Governments to invest selected NativeCivilians with the necessary authority. They will, it may betaken for granted, select only those native civilians, who have earned a position in the service by their experience and a fair claim to be raised to the rank of District Magistrate or Sessions Judge. As far as the bulk of the country is concerned the experiment is not likely to be tried. In Madras, in the North West Provinces and Oudh, in the Punjab, in the Central Provinces, in Coorg, in the assigned districts of Hyderabad and in British Burma the law we fear will remain a dead letter for years to come. It is only in Bengal and partially in Bombay effect may be given to the Bill and even there the number of Native Civilians likely to be invested with the necessary power will be very limited. So much for the danger with which the liberty of the British-born subject is threatened by the proposed Bill. On the other hand all the existing safeguards are retained. We will briefly describe them :

(*a*.) Under the Criminal Procedure Code First Class and Presidency Magistrates are competent to sentence a person up to 2 years, Second Class Magistrates up to 6 months, and Third Class Magistrates up to one month. But no First Class Magistrate, if he himself be a European British subject, is to sentence a European British subject to imprisonment for more than three months, and no Sessions Judge for more than one year.

It will be thus seen that the present power of First Class Magistrate and Sessions Judge in respect of European British subjects is very limited. In trying an European British subject a First Class Magistrate has *half the power* of sentence possessed by a Second Class Magistrate, and the Sessions Judge half the power of a first Class Magistrate. Thus a broad distinction is made in the trial of British-born and Indian subjects and that distinction is retained.

(*b*) The British-born subject has the right of appeal in all cases. Other subjects cannot appeal against a sentence for one month. The British-born subject may at his option appeal to the District Sessions Court or to the High Court upon a sentence passed by a First Class Magistrate.

This is a very important privilege. If an European British subject should feel aggrieved by a sentence of a First Class Magistrate, he might at once appeal to the High Court. This privilege is not enjoyed by any other class of Her Majesty's subjects in India. It remains intact.

(*c*) If an European British subject be tried in a District Sessions Court, he is to be *tried* by a mixed jury, of which not less than *half* shall be Europeans and Americans.

This privilege is *not accorded* to any other class of Her Majesty's *subjects* in India.

(*d*) *Habeas Corpus Act.* As far as the European British subject is concerned the privileges under the Habeas Corpus Act are fully maintained. The law does not accord the same privileges to other classes of Her Majesty's Indian subjects except in Presidency towns.

Now, we ask any impartial British-born subject in India to say that while these safeguards are retained, whether his liberty will be in the slightest degree jeopardized by the proposed extension of the present limited jurisdiction to half-a-dozen Native Civilians of *special* experience ? The present outcry is quite gratuitous. It owes its origin to mere sentiment. It reminds us of the old Bengali saying—pursuing a crow for tearing off one's ear without touching the ear. If the mad man would touch the ear he would find that it was in the right place, and that the alarm was false. In the same manner if the excited Independent Briton would calmly weigh the true bearing of the proposition of Mr. Ilbert, and consider how far his liberty would be endangered by the proposed extension of jurisdiction, we are

sure he would agree with us that there would be no danger whatever. As we shewed in our last there have been numerous cases in which European British subjects have of their own accord and under advice of Counsel waived their birth-right and taken their trial before Native Magistrates, and is Mr. Ilbert to blame for proposing to give the positive sanction of law to a practice, which has been growing up under a permissive clause?

The *Englishman* we are sorry to observe still persists in its opposition to the Bill. Its arguments are edifying. Now that the papers have been published, it cannot ignore the support given by the Local Governments to the proposed change. Because Mr. Ilbert had stated that the reports from the local Governments were confidential, it insinuated that these papers could not bear publicity. The publication of the papers has silenced it on this point. It now says:

There are three points about these opinions which must strike every one who reads them. The first is that while a majority of the authorities consulted are in favour of the proposed change, not one of them has made any attempt to meet the arguments which induced Sir James Stephen and the rest of the majority in 1872, to vote against the amendment of the Hon'ble Mr. Ellis in favour of putting Native covenanted civilians on a footing of equality with their British brethern as regards the trial of European British subjects. They rest their opinions entirely on the so called invidiousness of the present distinction, and the possibility of administrative inconvenience arising from it.

Is it true that those who advocate the change have not met Sir FitzJames Stephen's argument? What could be a better answer to him than that the country has outgrown the time when that gentleman had opposed the change. The exigencies of administration require the proposed extension of jurisdiction. It is no longer a question of sentiment or race feeling, but of administrative necessity. Surely this fact, apart from other arguments, is a sufficient answer to Sir FitzJames Stephen.

The next point is thus put by our contemporary:

The other point is that, while it is admitted that the privilege as to jurisdiction is the privilege of prisoner and not that of the judge, the persons on the strength of whose opinions it is now proposed to take away the privilege in the present case are all persons who, though theoretically liable to become defendants in criminal cases, are practically exempted by their position from all serious risk of such a misfortune. In other words, the persons whose opinions have been sought and are now put forward as a basis of legislation belong to the class least qualified to form an opinion on the particular question at issue. Had the Government, instead of consulting the Judges, called on the possible defendants; had it, that is to say, sought the opinions of the independent British community residing in the districts instead of its own officers, the result would, there is little doubt, have been unanimous condemnation of the proposal.

If this position of the *Englishman* be conceded, then the English have no business in this country. The English rulers of India have no personal interest in the laws they make; they are mere birds of passage; it is the present generation of the people, their children, and children's children, who will reap the effects of the laws passed by them. But the people have practically no voice in the legislation of the country. The English legislators who make the laws however exercise their best judgment for the benefit of the people. It is also the duty of the Government to provide the best courts available for the trial of all classes of Her Majesty's subjects in India. Mr. Ilbert's Bill proceeds solely upon the judicial qualifications of the Courts to be vested with jurisdiction over the European British subjects. Are the Judges of the High Court less qualified to try European British subjects because they are not likely to be in the position of defendant?

The third point is this:

The third point, and perhaps the most striking of all, is the extraordinary nonchalance with which a body of Englishmen presumably not altogether deficient in either political experience, or historic knowledge, approach a proposal to deprive a large multitude of their fellow countrymen of a cherished privilege, which they have inherited from a long line of forefathers, and which they have done nothing to forfeit, than beyond the folly of seeking to improve their position by coming to this country.

It appears to be thought by these worthy gentlemen, who enjoy the good fortune of having reached a position which is in itself a sufficient protection, that, because a certain amount of sentiment has grown up about this privilege therefore the privilege itself is of little value. To pooh-pooh sentiment is, we know, a fashion of the times. But so far from a sentimental interest necessarily connoting want of real importance, it is the importance of a matter in the first instance which generally makes it a subject of such interest.

Sentiment is certainly a good thing; it ought not to be lightly set aside, but should it be cherished when it is opposed to reason and justice? Take the history of legislation regarding European British subjects in India. Formerly the civil suits of British-born subjects were not triable by Native Courts. When Lord William Bentinck abolished the privilege, the Indigo Planters were up in arms, but now-a-days the European British subjects prefer their suits to be tried by the Native Subordinate Judge to the European district Judge. Not long ago there was a heavy case of an Indigo Planter pending before Babu Grish Chunder Ghose, late Subordinate Judge of Tirhoot; the Babu had been appointed to act as a Judge of the Calcutta Small Cause Court, the plaintiff begged that he might not leave the district without deciding his case. What a change of feeling? Then the European British subjects had hitherto resisted trial before even European civilians, men of their own colour and creed, but the Act of 1872 subjected them to the jurisdiction of European Magistrates. Is objection now raised to that measure? Sir Henry Maine abolished the Grand Jury in the Presidency towns. There was a faint opposition offered, but Sir Henry Maine was firm. Has the liberty of the European British subjects suffered in consequence of the abolition of the Grand Jury? Step by step the Government has taken measures to expedite the time for the promulgation of that equality in the eye of the law, which is the boast of the British law, constitution, and jurisprudence. The present time is peculiarly opportune for the further step proposed in that direction. No one can accuse Lord Ripon of antipathy against the European, while there is now a good feeling between the European and the Native. If this is not a fit time for the assertion of equality in the eye of the law irrespective of considerations of race, country, and creed, that time we fear will never come.

THE LOCAL GOVERNMENTS ON THE ABOVE BILL.

WE ARE glad to observe that the Government of India has published the reports of the Local Governments on the proposal to extend the jurisdiction of Mofussil Criminal Courts over European British subjects. The consensus of opinion among them on the subject, as Mr. Ilbert said in Council, is remarkable. The Bill was set in motion by Sir Ashley Eden at the instance of Mr. Gupta. The *Englishman* had stated that Sir Ashley was opposed to the proposed measure, but Mr. Secretary Cockerell's letter dated the 20th March 1882 shews that contrary was the case. Mr. Cockerell wrote:

As a question of general policy, it seems to the Lieutenant-Governor right that covenanted Native civilians should be empowered to exercise jurisdiction over Europeans as well as over Natives who are brought before them in their capacity as criminal Judges. Now that Native covenanted civilians may shortly be expected to hold the office of District Magistrate or Sessions Judge, it is also, as matter of administrative convenience, desirable that they should have the power to try all classes of persons brought before them. Moreover, if this power is not conferred upon Native members of the civil service, the anomaly may be presented of a European Joint-Magistrate who is subordinate to a Native District Magistrate or Sessions Judge, being empowered to try cases which his immediate superior cannot try. Native Presidency Magistrates within the Presidency towns exercise the same jurisdiction over Europeans that they do over Natives, and there seems to be no sufficient reason why covenanted Native civilians, with the position and training of District Magistrate or Sessions Judge, should not exercise the same jurisdiction over Europeans as is exercised by other members of the Service.

For these reasons Sir Ashley Eden is of opinion that the time has now arrived when all Native members of the covenanted Civil Service should be relieved of such restrictions of their powers as are imposed on them by Chapter XXXIII. of the new Code of Criminal Procedure, or when at least Native Covenanted Civilians who have attained the position of District Magistrate or Sessions Judge should have entrusted to them full powers over all classes, whether European or Native, within their jurisdictions.

The *Englishman* will thus see that it made a gratuitous assertion when it said that "the wisdom of Sir Ashley Eden" was against the proposed measure. All the local Governments are in favour of it. The Madras Government is divided in opinion. Messrs. Carmichael and Hudleston are against the measure, Mr. Carmichael says, "practically, however, except the petty jurisdiction given to a Sessions Court presided over by a British subject, in the present Code passed in 1872, nothing whatever has been done, and we know why it has not been done—the British Lion, a vulgar brute, no doubt, has wagged his tail and roared; that he would do so again now is, I think, pretty certain." But the "vulgar brute" is after all not such a bad animal as Mr. Carmichael supposes. We gave in our last issue no less than thirteen instances in which the defendants, British born subjects, of their own accord, and under the advice of counsel, waived their birth-right and were content to take their trial before native magistrates. Mr. Grant Duff, in the reply to Messrs. Carmichael and Hudleston, has recorded the following minute:

I have read with great care and much respect the opinions of my honourable colleagues, Mr. Hudleston and Mr. Carmichael; but I cannot agree with them. It is, perhaps, a pity that a question was raised just now which affects so few people; but I see no answer to the claim made by Mr. Gupta which is logically defensible. It may be that to admit that claim may wake up bad passions, which are now slumbering; but I trust this will not be so. We cannot stop where we are, if pressed to advance, without stultifying our past action. Very soon, if not immediately, the *covenanted* civilian of Native birth must be put on precisely the same footing as his European colleague. Mr. Gupta does not quite ask for this, in consequence of a misconception which Mr. Hudleston has pointed out; but there is no safe standing ground till we take up that position.

Sir Frederic Roberts, the Commander-in-chief of Madras, says:

I agree with the remarks of His Excellency the Governor. I don't see how, in equity, any difference can be made in the position and power of British and Native Covenanted Civilians.

The Secretary to the Government of Bombay writes:

After consulting the higher judicial and magisterial officers in the Presidency on the question, and finding much diversity of opinion thereon, the Governor in Council has no hesitation in concurring with the preponderating opinion which is to the effect that the disability of Native Judges and Magistrates in respect to the jurisdiction in question should certainly be removed from those Native members of the Covenanted Civil Service who attain to the position of District Magistrate and Sessions Judge.

The Secretary to the Government of the North-Western Provinces and Oudh reports:

The officers consulted are generally agreed that jurisdiction over European British subjects cannot any longer be withheld from Native members of the Covenanted Civil Service as a class. They are unanimous in thinking that when a Native member of the Service has risen to the position of a Magistrate of a District or Sessions Judge, it is imperative that he should exercise over European British subjects the same jurisdiction as is exercised by European members of the service who are Magistrates of districts or Judges. There is, however, some difference of opinion as to the circumstances under which jurisdiction in question should be given to Native members of the civil Service who hold other offices than those abovenamed. In the opinion of the majority of those consulted, it should be conferred on all Native members of the Covenanted Civil Service who are possessed of the requisite judicial experience, and who have shown by their ability, judgment and strength of character, that they are fitted to exercise it. The Local Government would exercise its discretion as to the individual Native members of the Service upon whom the powers of a Justice of the Peace might be conferred. But the general statutory disability under which the Native Magistrates and Judges now labour ought, they think, to be removed.

It must, Sir Alfred Lyall thinks, be admitted that an officer who is appointed to be a District Magistrate should have jurisdiction over European British subjects. Inconveniences of various kinds would result if this jurisdiction were not enjoyed by every District Magistrate. A Native Covenanted Civilian, therefore, who is appointed to the charge of a district, ought to exercise this jurisdiction; for a Native Civilian, who may not be entrusted with the powers of a Justice of the Peace, is hardly fit to hold charge of a district may be trusted to exercise the powers of a Justice of the Peace, he should retain them when, his charge of a district being temporary, he reverts to a subordinate post. For it would be unreasonable to let a restriction, in regard to the exercise of jurisdiction over European British subjects, operate so as to bring about the anomalous result that an officer, though considered fit to exercise certain powers when officiating as District Magistrate, is considered unfit to exercise them when he reverts to his former appointment.

Sir Charles Aitchison goes further. The Secretary to the Punjab Government writes:

Sir Charles Aitchison, moreover, is of opinion that the same powers ought to be conferred upon all Justices of the Peace and 1st class Magistrates, and upon all Sessions Judges, whether they are European or Native, and whether they

belong to the Covenanted Civil Service or not. The powers and jurisdiction to be exercised by judicial officers should, His Honour thinks, depend entirely upon personal fitness, and in no respect upon race or service distinctions. It may be assumed that no one of any class will be appointed a Justice of the Peace or Magistrate of the 1st class or Sessions Judge who is not considered to possess the requisite qualifications, and the appointment ought, therefore, to carry with it all the usual powers and jurisdiction without regard to race, service, or creed. Under Act II. of 1869, any British subject, whether European or Native, and whether belonging to the Covenanted Civil Service or not, may be made a Justice of the Peace, if he is considered properly qualified to act as such, and under section 5 of the Act, every such Justice of the Peace has power to commit European British subjects for trial before a proper court, and to do all other acts which any Justice of the Peace may lawfully do; and this appears to Sir Charles Aitchison to be the broad and equitable principle which Government ought to follow. The restrictions introduced by the Code of Criminal Procedure upon the powers of Courts to enquire into and try charges against European British subjects, which rest exclusively on race distinctions, are, in His Honor's opinion, invidious and unnecessary. They are indeed a mere residuum of the time when Europeans were to a great extent under English law, with which Native Judges were not supposed to be acquainted, and should now be entirely abolished, having ceased to be defensible with the revision of the Codes.

The Chief Commissioner of the Central Provinces is of opinion that "Native members of the Covenanted Civil Service should be placed in this respect on the same footing as European members of the same service, and should be relieved of such restrictions of their powers as are imposed by Chapter XXXIII of the new Code of Criminal Procedure."

The Secretary to the Chief Commissioner of British Burma writes:

I am to submit that, in the Chief Commissioner's opinion, it is desirable that Native civil servants should possess the same jurisdiction over European British subjects as is exercised by European civil servants. Native civil servants are and will usually be quite fit to exercise such jurisdiction.

European British subjects are liable to the jurisdiction of Asiatics in Upper Burma; and the Chief commissioner does not apprehend that there would be any prolonged feeling against the change advocated by the Bengal Government among the better classes of Europeans in India.

The Chief Commissioner of Assam would limit the extension of the jurisdiction to selected native civilians. The Secretary to the Assam Government writes:

The Chief commissioner does not think that this slight progress in the direction of equality is likely to excite any serious opposition on the part of the European community. The feeling which ten years ago it would have encountered is, he believes, gradually dying out; and the experience which is being acquired of the efficiency with which Native officers administer justice is by degrees undermining it. The extension of Native agency in the public service, and the increase of the influence of the Native voice in all political matters, are palpable facts, and the European settler is learning that he must reconcile himself to the march of events, and accept the inevitable.

The Chief Commissioner of Coorg and the Resident at Hyderabad are also in favour of the proposed measure.

It will be thus seen that the Local Government, are unanimous in recommending the measure. But as we have already remarked Mr. Ilbert's Bill does not completely abolish the race distinction. We would, as we said last week, include native Deputy Magistrates of experience within the scope of the Bill. As experience will be made the test for investing Magistrates with the powers in question, surely native Deputy Magistrates, who exercise first class and summary powers, are fit to be trusted with the proposed jurisdiction. What for instance could be more anomalous than that native Magistrates like Newab Abdul Lutief and Syud Ameer Hossein, before whom European British subjects are now willing to take their trial of their own accord, should not be vested by law with the necessary powers in this respect?

THE BENGAL MUNICIPAL BILL.

IV.

WE will consider in this article the sections relating to taxation. The taxes proposed are as follows:

(*a*) a tax upon persons occupying holdings within the Municipality according to their circumstances and property within the Municipality.

provided that the total sum to be raised by such tax in any year shall not exceed the sum which would be produced by an average rate of two rupees and four annas per annum for each holding, and that the amount assessed in respect of the occupation of any one holding shall not be more than eighty-four rupees per annum; or

(*b*) a rate on the annual value of all holdings situated within the Municipality:

provided that such rate shall not exceed seven and a half per centum on the annual value of such holdings except within the Municipality of Dacca, in which it shall not exceed ten per centum on such annual value; and

These taxes are to be compulsory. The Commissioners may impose either of them in any Municipality. They are not new taxes. At present the rate on the annual value of holdings is levied in first class Municipalities, and the tax on persons and property in second class Municipalities. But this Bill dispenses with the distinction between first and second class Municipalities. It will therefore be in the discretion of the Commissioners to impose either of the taxes in any Municipality. The working of the tax on persons and property shews that it is more in the nature of an income tax, and that it presses hard upon the poor, particularly upon the respectable poor, who having inherited the name and fame of their ancestors have not the means to keep up their dignity. They own large houses, which they cannot part with from a natural feeling of ancestry, but they are not in a position to pay a high rate of taxation for such property. If these houses were let, they would not fetch high rent. A rate upon the letting value of such houses would be fair and reasonable. We think the time has arrived for the abolition of the tax on persons and property for municipal purposes. The additional taxes, which may be imposed at the discretion of the Commissioners with the sanction of the local Government are as follows:

(*a*) a tax on carriages, horses, and other animals named in the third schedule;

(*b*) a fee on the registration of carts;

(*c*) tolls on ferries and (subject to the provisions of sections one hundred and forty-seven and one hundred and forty-eight) tolls upon bridges and metalled roads;

(*d*) a water-rate not exceeding six per centum on the annual value of holdings when the houses and lands are situated in streets supplied with filtered water and not exceeding five per cent. when the houses and lands are situated in streets not so supplied;

(*e*) a lighting rate not exceeding three per centum on such annual value;

(*f*) a fee for the cleansing of latrines:

provided that the taxes mentioned in clauses (*d*), (*e*) and (*f*) shall not be levied in any Municipality unless the provisions of Part VII in respect of clause (*d*), or of Part VIII in respect of clause (*e*), or of Part IX in respect of clause (*f*), shall have been extended to such Municipality in the manner hereinafter provided.

We object to tolls of any kind. They are a fruitful source of annoyance, hardship and oppression. In 1874 Mr. Leonard, the then Public Works Secretary to the Government of Bengal thus wrote on the subject:

I would abolish every toll in the district and make every ferry free; having one tax, which seems to be a fair one for all concerned. I would wipe off, every thing that impeded traffic in the slightest degree. It is hardly necessary to argue in favour of abolishing toll bars; almost all those who have given any attention to the question agree that they ought to go. I may, however, mention as a point in favour of this view that a slip just received shows the curious fact that the amount collected from toll bars and ferries hardly increases in the slight degree, the traffic has increased largely there can be no doubt whatever, and hence the whole profit arising from this increase must go into the pockets of the Collector, or farmers; road funds are not richer, traffic is interfered with and no one is benefitted but the party whose interest is supposed to form no party whatever of the arrangement, the faculty for cheating seems to have become sharpened by use, the improvement of it just keeping pace with the increase of traffic developed by the opening up of the country."

The objections urged above have not lost their validity. We believe the Government has abolished tolls in many places, and to be consistent it ought to abolish them altogether. If the argument be that tolls are levied for the maintenance of roads and bridges, the tax on wheeled vehicles and carts ought to answer that purpose. The tolls on roads are a barbarous device, and ought to be done away with.

There is another tax introduced, which is not specifically mentioned under the head of taxation. It is a tax on processions. Sections 282 and 283 provide for it. We give these sections below:

The Commissioners at a meeting may declare that processions shall be permitted to pass through any street in the Municipality, and that no fireworks shall be let off in or near any public place, without the written permission of the Commissioners in that behalf.

Such permission may be granted subject to the payment of such fee as the Commissioners at a meeting, subject to the approval of the Local Government may impose, and subject to the observance of such conditions as the Commissioners shall think fit.

Provided that it shall be in the discretion of the Commissioners to grant or refuse such permission in any case.

In any Municipality in which such declaration shall have been made, and published as provided by section three hundred and fifty-three, any person forming part of an unlicensed procession, or of a licensed procession, which shall in any way contravene the conditions imposed by the Commissioners, or letting off fireworks in or near any public place, without such permission as aforesaid, shall be liable to a fine not exceeding twenty rupees.

This is not the first time a tax on processions is proposed. It was proposed in Sir George Campbell's famous Municipal Bill, but it was strongly opposed by the native public, and was accordingly omitted in Sir Richard Temple's Municipal Bill, which was passed in 1876. Processions in Bengal are of two kinds, religious and social. The first are held in observance of religious ceremonies, and the second on such occasions as weddings. Processions of the first description are numerous. They are now-a-days held not only by Hindus, but also by Brahmos and Christians. Sankirtans have become an institution of the land. A tax on religious processions will be a tax on religion, and surely the Legislature ought not to levy a tax on the exercise of the religious feelings of the people. The Government has pledged that it will not in any way interfere with the religious feelings of its subjects, and will it be consistent with its avowed policy in this matter to impose a tax on religious processions? No Municipality under the existing law has the power of levying a tax on religious processions. The Calcutta Municipality has no such power. It is the Police, which has the power of regulating processions, and the object is clear enough—that of preserving peace and order. This is a necessary power for the Police, and cannot justly be complained of. It is the duty of the Police to see that no breaches of the peace take place in the exercise of any privilege by any class of subjects, and in the discharge of that duty it should certainly regulate processions, whether they be for religious ceremonies or for weddings. But what right has the Municipality to interfere with them, or make them a source of income for the Municipal fund? If the Municipality be authorized to tax religious processions, it may as well tax religious services. It may be said that the roads and streets belong to the Municipality, but they are public highways, for the construction and maintenance of which the people pay, and it cannot be fair or just to tax them whenever a procession will pass over them. We are accordingly of opinion that the sections authorizing the levy of a fee on processions be omitted.

OUR SURPLUS POPULATION.

SIR JAMES CAIRD, the Home member of the Indian Famine Commission, has recently addressed a letter to the London *Times*, in which he discusses the important question as to how the great and growing population of this country is to be fed. He reminds the public that this was the subject mainly dealt with by him in his separate reports to the Government of India. There can be no manner of doubt as to the pressing importance of the question raised by Sir James Caird. Although it is true that the last census return does not show so great an increase as 1 per cent. per annum; but that is because of the abnormal famine deaths during the past decade. Sir James Caird is quite right in saying that if the famine deaths are added, the natural increase of the population in ten years would be more than 10 per cent. The question then arises—what is to be done in order to keep the means of subsistence on a par with the increase of population. Sir James Caird suggests two measures for solving the difficulty. There is an extension of cultivation by two million acres an-

nually or an increased produce by one-tenth of a bushel annually from the present increase. He believes it possible to obtain such a gradual increase of production in India as would meet the wants of the present rate of increase of population for a century to come. Sir James Caird points out that the best and most available land has long been occupied, and that the cultivable area still untouched will require much beyond the ordinary capital of an Indian cultivator to bring it into a state of production. He would, therefore, chiefly rely on an increased produce from the land at present cultivated. He is of opinion that one bushel of increase per acre gained gradually in ten years, from the present cultivated area, would meet the demand of a gradual increase in the same time of 20 millions of people; and, if a proportionate rate of increase could be attained in each decade, the increased population for a hundred years could be fed without much increase of area. The produce would then, observes Sir James Caird, have gradually risen from 10 to 20 bushels an acre.

For our part we are inclined to think that much reliance cannot, under existing circumstances, be placed on Sir James Caird's second method. We know that he has conclusively shown that the difference between scientific and non-scientific agriculture may be treble the produce; but we have over and over again explained in these columns the difficulties that stand in the way of the adoption of improved modes of tillage by the Indian cultivator. An expert in English farming who has for many years taken a practical interest in Indian agriculture has admitted that, under favourable conditions, the Indian ryot has little or nothing to learn from Cirencestor. Sir James Caird's first method—a progressive increase in the area of cultivated land—seems to us to be quite practicable. Sir James Caird, to our thinking, hits the nail on the head when he recommends the Government of India to facilitate movement from the most densely peopled tracts. As Sir Alfred Lyall, in his most sensible orders on Major Pitcher's report on the existing system of emigration to the colonies from the North-Western Provinces and Oudh, which we noticed in a recent issue, pertinently remarks, there are many tracts in India itself which only wait for the surplus population of other over-crowded provinces, to be brought under the plough. There is, indeed, for the present enough room for the growing population of India, if well-considered and carefully carried out schemes of inter-provincial emigration be carried out. Mr. Elliott, the Chief Commissioner of Assam, in a recent resolution recorded by him, mentions that "there are now in the valley of the Brahmaputra about a million of acres of excellent land, fit for either tea cultivation or for ordinary crops, available for settlers." Sir James Caird says that the cultivated area in India still untouched will require much beyond the ordinary capital of an Indian cultivator to bring it into a state of production. But this objection does not apply to the land mentioned in Mr. Elliott's resolution. Now, what strikes us as incomprehensible is that the Government of India does not encourage time-expired coolies in Assam to settle on this land. While Government leases out waste land to tea planters on most favourable terms, similar concessions are not granted to coolie settlers. As the *Assam News* said in a recent issue, tea-planters pay no rent for the first two years, three annas only per acre per annum from the third to the fifth year, six annas per acre from the seventh to the tenth year, eight annas per acre from the eleventh to the twentieth year, and one rupee per acre, from the twenty-first to the thirtieth year. But a coolie settler has to pay the full rate of Re. 1-14 per acre from the very day he begins to clear a bit of waste land. This state of things cannot be too strongly condemned. There is no reason why the favourable terms on which waste lands are leased out to tea-planters should not be granted to time-expired coolies, who wish to settle in Assam. We have no hesitation in saying that the million acres of excellent land mentioned in Mr. Eliiott's resolution would be taken up by coolie settlers in a short time, if Government would give them the same facilities and encouragement as tea-planters received at its hands. At present time-expired coolies would, if they could, generally return home from Assam, because they cannot avail themselves of the other alternative of settling down in the country. To clear waste lands and bring them under cultivation requires some capital, and as the full rent is charged from the beginning, the little money the coolies may have saved by working on the tea gardens is spent in feeding themselves and in paying rent. And as their venture to settle themselves as cultivators in Assam collapses, they are forced to throw themselves upon the mercy of the tea-planters who naturally take advantage of their helpless position and dictate their own terms. We commend this state of things to Lord Ripon's favourable consideration. One of the first acts of his Lordship on arrival in India was to take up, at the instance of the Tea Association of London, the question of increasing the labour supply for the tea plantations in Assam. In a letter addressed to the Chief Commissioner of Assam in July 1880 the Under-Secretary to the late *Etcetera* Department wrote: "The Governor General in Council would therefore invite your attention to the whole question of extending free emigration into Assam, not only in view to increasing the supply of labour on the tea-plantations, *but also equally with the object of settling immigrants as cultivators on available land.* Could the flow of emigration be started and maintained, some outlay upon its proper direction during the first few years, till its continuance was assured, would probably be sanctioned from imperial funds." The italics in the passage quoted are ours. It is clear from the above that when Lord Ripon took up the question of amending the Labour District Emigration Act primarily with a view to further the interests of the tea-industry in India, His Lordship also recognised the importance of settling immigrants into Assam as cultivators on available land in the Valley of the Brahmaputra. The Labour Act has been amended and the tea-planters have got all that they wanted; but nothing has yet been done towards the attainment of the other object.

THE PUBNA CASE.

THE appeal of Azimuddin Chowdry of Pubna, which was referred to the Sessions Judge of 24-Pergunnahs, has been disposed of. The prisoner appellant was charged and convicted by the Indian Penal Code. Under Section 183 coupled with Section 109 and 155 under Section 148 coupled with Section 150 and 155 and lastly under Section 148 coupled with Section 109 of the Penal Code. Mr. Browne remarks:

The Court is decidedly of opinion that the above charges as they stand have not been established. The prosecutions had to show that the prisoner was guilty of abetment under section 109 and of connivance under section 150. They certainly have not sufficiently proved any act of connivance under section 150 and all that they have satisfactorily shown in the way of abetment under section 109 is that the prisoner did not give any information to the Police.

Looking to the undoubted fact that Police were notoriously possessed of full information as to the probability of an illegal assembly taking place, it seems clear that the prisoner cannot be said to have been guilty of abetment simply because he did not tell the police what they already knew.

Mr. Browne, however, continues:

The Court, however, after careful consideration of the evidence, has arrived at the conclusion that the prosecution has established certain facts which would support the conviction of prisoner under section 148 and 155. It has been satisfactorily shown that when the police arrived on the spot they there found on the premises of which they had to deliver possession, an assembly of persons who behaved in such a manner as to produce the impression that resistance to lawful authority was intended. It has also beeen shown that the result of the conduct and attitude of the said assembly was a disturbance which resulted in a serious loss of life. Lastly there is in the opinion of this Court sufficiently good testimony to show that the prisoner was the owner of the land respecting which the riot took place, that the riot took place for his benefit and that he did not use all the lawful means in his power to prevent such illegal assembly and riot from taking place.

We have great respect for Mr. Browne, but we must confess that the remarks we have quoted last are not consistent with those that have preceded them. If the prisoner was not guilty of connivance, how could he be convicted of a charge that "he did not use all the lawful means in his power" to prevent the disturbance. As to his being the beneficial owner of the house no direct evidence it would seem was offered on this point. Nevertheless Mr. Browne remarks: "Putting altogether aside the finding of the Civil Court there is a body of evidence on the part of the prosecution which taken as a whole irresistably leads in the absence of rebutting evidence to the conclusion that prisoner is the real owner, and that the recent purchase in the name of his wives was a mere make-believe which did not effect any actual and *bona fide* change of proprietorship. It has been shewn that the prisoner resided till very recently indeed though perhaps not at the very moment of the riot in the premises which formerly belonged to him, in name as well as in fact, that his position before the world continued to be the same as before, that a large sum of money belonging to him was kept in the house, that he in a conversation with the sub-inspector spoke of the house as his." We cannot deny that there is much force in what Mr. Browne says. If Azimuddin was living in the house, and keeping his money in it, he was undoubtedly an occupier of it, and he could not ignore the responsibility which attached to him as occupier. But it was not proved that the riot was made for his benefit. Messrs. Branson and Bell argued that there was no illegal assembly on the premises when the police arrived on the spot. Only the usual household servants were present, and all they did was to entreat Mr. Rattray, the District Superintendent of Police, not to enter the house. Mr. Browne does not concur in this view of the case. He remarks:

It was well known that the decree-holder had a clear legal right to be put into possession, that he had once already failed to obtain possession and that the Judge had applied for police assistance in effecting the execution of the decree. Under such circumstance it was evidently the duty of the owners, occupiers and household servants to avoid any such assembly or demonstration as would justify the inference that further resistance was intended. Instead of this not only were a considerable number of persons collected on the premises, but they behaved in a manner likely to excite the large crowd of sympathizers who had assembled outside. They indulged in loud protestations, threw themselves at Mr. Rattray's feet, and although they certainly asked him not to come in, they added to their entreaties the very significant words that if he did come in there would be murder or, as the defence interpret the words used, that certain ladies would kill themselves. Looking to the whole circumstance of the case this Court has no hesitation in holding that the assembly was at the very outset an illegal one, got up with the intention of impeding in some way or other if not of actually resisting to the very end the execution of the decree.

Messrs. Branson and Bell have further contended that even if it be admitted that there was an illegal assembly when the police first arrived on the spot, the riot which took place afterwards was caused by the injudicious conduct of Mr. Rattray in then and there knocking down an individual who, he says, rushed to the centre. It was only after this display of violence on the part of the police that, so it is argued, brick-bats began to fly about and the disturbance actually began.

With reference to this argument this court holds that it is of no real weight. It is possible but by no means certain that the brick-bats would not have been thrown if Mr. Rattray instead of knocking down the man who rushed forward had been quietly arrested. But even supposing that a less violent course than that adopted by Mr. Rattray at the early stage of the affair might have had the effect of preventing a disturbance or that greater forbearance later on when the brick-bats were flying about might have rendered the disturbance less serious, those persons who by their unwarrantable behaviour caused the police (so it is said) to lose their presence of mind, must be held primarily responsible for what occurred. Want of coolness on the part of members of the public force on such difficult occasions may expose them to blame on the part of their superiors or to severe criticism on the part of the public at large, but can in no way give immunity to persons who bring about circumstances of a nature clearly calculated to produce in the words of persons entrusted with the execution of orders issued by the tribunals of the land the impression that illegal resistance is intended.

The court has no hesitation in holding that what

ever might be the view taken as to the action of the police, its injudiciousness or otherwise, the persons who first formed the illegal assembly on this occasion must be looked upon in the eye of the law as having caused the riot which subsequently took place.

But admitting for argument's sake that there was an illegal assembly, that the first onset of the Police was no justification for resistance on the part of the men in the house, and that the injudiciousness of the Police could not extenuate their offence, where is the proof that the defendant was privy to the illegal assembly? It is admitted by the Judge that he was not guilty of abetment or connivance, and if so he was not guilty of any criminal act. We have neither time nor space to go into details, but we cannot help saying that Mr. Browne's judgment is not quite consistent. Morally he may be right; but legally there is no evidence against the prisoner, and in a criminal case it cannot be just to convict a person on moral suspicion. Mr. Browne has, however, taken a more considerate view of the case than the Court below; he has quashed the more serious charges, and remitted the sentence of imprisonment. He has reduced the fine Rs. 3000 to Rs. 2000 and sentenced the prisoner to two months' simple imprisonment in default.

It was not Mr. Browne's duty to comment upon the conduct of the Police. But there is sufficient indication in his judgment that he does not approve of it. Will the Government take no notice of the outrageous conduct of the Police? We do hope that this case will not be allowed to drop quietly.

THE CONTAGIOUS DISEASES ACT.

WE HAVE had before us for sometime past the Minority Report of the Select Committee of the House of Commons on the Contagious Diseases Acts of the United Kingdom. This Report which was proposed by Mr. Stansfeld in lieu of the Chairman's Report, was supported, on a division, by six against eight members of the Committee. The minority consisted of Mr. Stansfeld, Mr. Hopwood, Mr. William Fowler, Mr. Ernest Noel, Dr. Cameron, and Mr. Burt. The majority were Mr. Osborne Morgan (Judge Advocate-General), Mr. Cavendish Bentinck (late Judge Advocate-General), General Burnaby, Colonel Digby, Colonel Tottenham, Mr. Bulwer (Colonel R. V.), Dr. Farquharson (late Army Surgeon), and Viscount Crichton. In subsequent divisions on the Chairman's Report Sir Henry Wolff (Member for Portsmouth) also voted with the majority. It will be thus seen that the Chairman's Report, which was consequently adopted, recommending the strict maintenance of the Acts, received the support of all those members of the Committee having official positions or connections, either past or present, with the State Military Establishment; and that, on the other hand, those who voted for the substitution of the Report before us recommending the repeal of the Acts, consisted entirely of unofficial members of the Committee. Having regard to the fact that the adopted Report is an enthusiastic and eulogistic defence of the official system, the composition of the division list is both interesting and significant. Both the Reports—which in their conclusions are as "wide as the poles asunder"—equally claim to state the results of the voluminous evidence taken by the Committee during their protracted enquiry, 'which has extended over a period almost unprecedented in the history of Parliamentary Committees.' The momentous question for the public, is, which of these documents fulfils the essential requirements of a true Report, in representing fairly and impartially the results of conflicting evidence upon subjects of vast practical importance, and 'involving considerations of great delicacy and difficulty'? Obviously nothing less than a thorough and exhaustive examination and comparison of the two Reports with the evidence upon all points of conflict can answer, adequately and satisfactorily, this important question; but some idea of the diverse methods employed in arriving at the contrary 'results' of the two Reports may be gathered from the following remarks:—The general conclusions from the evidence, which are stated in the Report of the Minority as affording ample reasons for the repeal of the Acts absolutely, are the following:

I. That even under the unequal conditions obtaining in favour of the Stations protected by the Acts, venereal disease in the Home Army has not substantially diminished in those Stations, to a greater comparative extent than in the Stations not under the Acts, except in the one particular of 'non-syphilitic' sores.

II. That the percentage of cases of disease among the registered women has increased continuously during several years past, and is still increasing.

III. That the only real good effected by the police employed under the Acts, is entirely beyond the scope of their statutory duties, and could be better effected by other means.

IV. That the religious, moral, and constitutional objections presented against the Acts, and the system established under the Acts, are valid in principle, and are confirmed by the practical results of their operation.

As to (I.), the principal 'unequal conditions' disclosed by the evidence therein referred to (and which are particularly noticed in paragraphs 1 and 12 of this Report), are:—(*a.*) The essential difference between the characters of the protected Stations and the non-protected Stations; (*b.*) The examination of soldiers in the former class and not in the latter; (*c.*) The transmigration of prostitutes from protected Stations into unprotected Stations; (*d.*) The extensive Lock Hospital accommodation for women in the former class, compared with the scanty provision of that kind in the latter class of Stations. All these important points are ignored in the Majority Report.

With regard to (II.), the conclusion stated in the Minority Report as to the increase of disease among the registered women, the Majority state, '*it is alleged* that disease has shown a *tendency to increase.*" When, however, the effect of the evidence noted in paragraph 14 of this Minority Report is considered, it will be manifest that as an increase of disease among 'a given number of registered women in a given period' has actually occurred, contemporaneously with an apparent decrease of disease among the soldiers in the given districts, the fact denotes either (1) that more venereal disease exists among such soldiers than appears from the official returns, or (2) that such disease is spreading among male civilians in those places. In either case the conclusion expressed in the Majority Report as to the decrease of such disease among both soldiers and civilians in the protected districts is disproved. With regard to (III.), the improvements really effected by the administrators of the Acts, and (IV.), the objections raised to the Act and their administration, there is a total variance between the two Reports.

The moral sense of the country is against the Acts. We read in the Minority Report that the total number of petitions presented between 1870 to 1881 was 10,125, containing a gross total of nearly two and a quarter millions of signatures. Of these a considerable portion came from subjected districts. One of the petitions, signed by women only, had the enormous number of 248,000 signatures. On the other hand, all the petitions presented against repeal amount only to 45, with 3,579 signatures. The majority of these, containing 3,266 signatures, were presented in 1872, and included no less than 1,112 signatures of women registered "under the provisions of the Acts." The battle will be still fought in Parliament. We do hope that common sense and morality will triumph over professional bigotry and official *zid.*

AFFAIRS AT BOMBAY.

(FROM OUR SPECIAL CORRESPONDENT.)

Bombay, February 12th.

The official correspondence published in Saturday's daily papers confirm the reports previously received from Kattyawar of a massacre in cold blood of 71 lives perpetrated by the Junaghur Police. Sibandy Junaghur is a first class Mahomedan Native State in Kattywar, and as such possesses full powers of life and death over residents within its territory, except British-born subjects. It appears that for some time past a dispute has been going on between the Durbar and its Grassia landholders called Maiyas. They are feudal landholders, enjoying their ancestral giras rights from time immemorial in lieu of military service. The necessity for such service no longer exists, either for external defence or internal protection as watchmen or guards of villages. The Junaghur Durbar accordingly had considered itself absolved from the obligations of maintaining intact the feudal possessions of the Grassias and had proposed to levy a *vero* or tax of Rs. 20 per plough. In this view of the matter the Durbar was supported by the Political Agent of Kattywar and the Government of Bombay. The Maiyas submitted an appeal to the Secretary of State, who, however, can scarcely be expected to go searchingly into the merits of the question. The result was that the pretensions of the Junaghur State were upheld by our Government. There has, however, been a complete want of statesmanship throughout this dispute by British political officers in Kattywar and by the Bombay Government, and it is this want of statesmanship that is responsible for the occurrence, which has culminated in the massacre. There are two misconceptions underlying the treatment of this question. In the first place, it has been supposed that the services which the Maiyas are expected to give in lieu of the enjoyment of their Giras rights are no longer required. To this I ask, why not? Surely, Junaghur needs a police force for the preservation of peace and order. In fact, it has a police force of 3,090 men employed within the State. Why not enlist the Maiyas in raising this force? They might be employed either in the Thana Police or the Imperial or as it used to be called, the Federal Police. In the last Administration Report of Kattywar, the District officer of the Serath Police says:—'It is significant that Kathi Garassias have enlisted in the Imperial Police at Manekvada. Ten years ago such an idea would have been scoffed at.' The enlisting of Maiyas either in the Thana Police or Imperial Police would have been financially as well as politically advantageous. But this expedient never seems to have suggested itself to the Durbar as offering a solution of the difficulty. Secondly, is it to be supposed that because Junaghur no longer requires the services of the Maiyas Girassias that they should be deprived of their ancestral Giras right? Is it the fault of the Maiyas that their services are no longer needed? What have they done or omitted to do to be deprived of their Giras rights? Have they ever refused to serve? Why should a levy or tax be imposed upon them when they are prepared to act their part of the obligations under which they enjoy their lands? It seems this aspect of the question has scarcely had serious consideration given to it, and the result is that the traditional rights of the Maiyas are being trampled under foot by a powerful state like Junaghur backed up by all the power of the Kattywar officers and the *ægis* of the Bombay Government. It shows that political statesmanship is at discount in the counsels of the Bombay Government.

It is hardly necessary for me to say that we on this side of India have been discussing the Hon. Mr. Ilbert's Bill for removing the disabilities of Native Magistrates in respect of jurisdiction over British-born subjects, as keenly perhaps as in Bengal. From what has been said for and against it, I must say that the opposition to the measure, even on the part of those non-official Englishmen who may be expected to feel a personal interest in the question, is not so strong now as it was a few years back. The leading Anglo-Indian and vernacular papers at the Presidency and in the Mofussil have given their adhesion to it. This shows that on this side of India non-official Englishmen have nothing to fear from the proposed enactment, and that the sooner the anomaly which exists at present and which is a blot on the statute-book of the country is abolished the better it would be for the fair fame and character of the British Government for impartial justice. Non-official Englishmen in the Mofussil of this Presidency simply laugh at the advice said to have been offered by the London *Times* that Anglo-Indians had better pack home, if the Viceroy has resolved to abolish all anomalies, as the result of such removal would be to drive English capital and English owners out of the Mofussil. If the *Times* has made such a statement, it expresses the fears of the rampant Anglo-Indian. Such fears are, however, at best imaginary for the simple reason that the grounds on which they rest have no foundation in fact. With regard to the Mofussil of this Presidency, I may say, without fear of contradiction, that we have scarcely any non-official Europeans worth naming either in the districts of Gujarat or the Deccan, who have made any permanent investment of English capital in any shape whatever or carry on any manufacturing industry. The few non-official Europeans we have are either employed in the service of Joint Stock Cotton Mills, of which natives are by far the most numerous shareholders, or are Agents for purchase of produce for European houses in Bombay. Their stay in the Mofussil usually does not extend beyond three or four months of the busy season in a year. As a rule such Agents are never large employers of labor or scarcely behave in a manner likely to provoke the aid of law. There are indeed a few cases here and there of European railway employes, such as engine drivers, station masters, or mechanics, being charged with petty offences, and European sportsmen going on *shikar*, who have to be tried occasionally for grievous or petty

offences, and have to be brought before a Magistrate. As the law at present stands such men have to be taken to inconveniently long distances for the purpose of being tried before European Magistrates. The journey to the head-quarters of the European Magistrate is often tedious, expensive, and fatiguing, so much so that a European if his feelings were consulted would sooner submit to a fine of a few rupees inflicted by the native Magistrate than travel up to the station which forms the head-quarters of the European Magistrate. Again, it can scarcely be contended for a moment that the class of European offenders in the Mofussil of this Presidency, who are brought to justice is a classs that deserve special exemption from the jurisdiction of native Magistrates. So much for the Mofussil. In Bombay we see hundreds of cases of Europeans tried by the Native Presidency Magistrates, with this result on the whole that the puhishments inflicted have as a rule been acquiesced in. This has been the case for several years past. If natives not regularly trained in the law were fit for trying Europeans at the Presidency, if they are fit to be admitted into the Covenanted Civil Service, and to be entrusted with powers of first class Magistrates, can it be doubted that the time has come when the anomaly of race distinction in matters of justice should be removed in the case of trained native Magistrates? And what is true of Bombay is more or less true of Madras, the N. W. Provinces, the Punjab &c. That being the case, the fact of a few European tea and indigo planters in Bengal and Assam need in no way interfere with the enactment of a general law for the whole of India, where, for the most part, European capital is not permanently invested in the country. The fears of the London *Times* as to the new jurisdiction given to natives resulting in driving English capital out of the interior of the country may be safely dismissed as existing only in the heated imagination of the writer, the fact being as I said before, that in most parts of the interior of India no English capital worth naming has as yet been sunk so as to give color to the prospect of its being driven out. What capital can you drive out when, as a matter of fact, there is nothing permanently invested? But I venture to say that the *Times* has not made the statement, at least in the bald form, in which it has been attributed to it.

The news of Sir Salar Jung's death has been received in Bombay, and throughout Western India with the *profoundest* regret. It has come up on the country quite suddenly. He did not suffer from any prolonged illness. He died of cholera in a short time. In him India loses her foremost, and most eminent native statesman. For many years she must repent her loss. Statesmen, and especially native statesmen of broad and enlightened views, are not easily produced. For thirty years Sir Salar Jung has held the helm of power with eminent success in the first and foremost Native State of India. The fact that it is not possible to at once name a gentleman on whom his mantle should worthily fall, increases the depth of the sorrow at his loss. Of his services to the British Government during the dark days of the Indian Mutiny it is needless to speak here His great ambition latterly was to obtain the restitution of the Berars. This he would probably have secured, if Providence had seen fit to spare him. May his soul rest in peace, and may the Government of India do that act of justice after his death, which Lord Lytton failed to do during the minister's lifetime!

LATEST NEWS AND NOTES.

JUST AS we were going to press we received the following telegram from Bombay:

Bombay, 18th February, 1883.

Representative public meeting held last evening, memorialize Empress praying for Extension of Viceroys term. Eloquent and exhaustive speeches from leading citizens. Memorial adopted amidst utmost enthusiasm.

Although it will entirely depend upon Lord Ripon's own convenience whether His Lordship should stay in India longer than the usual term of the Viceroyalty, still this movement we must say is an expression of the universal wish of the people of India. Apart from the satisfaction which the memorial is calculated to give to His Lordship, it will we make no doubt strengthen his hands in carrying out the many important reforms set on foot, particularly as there seems to be an opposition organized in England to thwart those reforms. We hope the memorial will be circulated throughout India for signature.

PARLIAMENT was opened by Royal Commission on the 15th instant. The Queen's speech makes the following allusion to Egypt:

I have fulfilled my promise to submit to the friendly consideration of the Sultan and the Great Powers the arrangements which appeared to me best fitted to ensure the stability of the Khedive's Government, the prosperity and happiness of the Egyptian people, the security of the Suez Canal, and the maintenance of peace in the East; and I have felt confidence in the just appreciation of my efforts by other countries.

The following programme of measures to be introduced in the present session of Parliament was announced:

Measures to codify the Criminal Law, to establish a Criminal Tribunal of Appeal, to amend the Ballot, Patent and Bankruptcy Laws, as also for the Prevention of Corrupt Practices at Elections, the better Government of London, the Reform of Local Government and the Prevention of Floods. Bills will also be introduced regarding the Police, Universities of Scotland, Education in Wales, and Compensation to Tenants in England and Scotland for Improvements.

We are grieved to observe that not a single allusion was made to India, "the brightest jewel in the British diadem."

AS WE announced last week the statue of Lord Napier of Magdala was unveiled on last Thursday. It was a brilliant scene. The enclosure near the statue was decorated with flags and occupied by troops, and space was allowed to the public both to sit and stand. The meeting in honor of Lord Napier was held in March 1876, but the Committee have dwindled down by death and departure from India to the following gentlemen: Sir Richard Garth, Hon'ble T. C. Hope, Maharaja Sir Jotindra Mohun Tagore Bahadur, Maharaja Narendra Krishna, Raja Harendra Krishna Bahadur, Raja Suttyanund Ghosal Bahadur, and Babu Kristodas Pal, and Col. Crookshank, Honorary Secretary. His Excellency the Viceroy was received by His Honor the Lieutenant-Governor, His Excellency the Commander-in-chief and the Chief Justice on behalf of the Committee. Sir Richard Garth opened the proceedings by presenting the Committee to His Excellency the Viceroy, and making a short and neat speech in which he gave a brief history of the operations of the Committee, and paid a well-turned compliment to Lord Napier. Lord Ripon before unveiling the statue delivered a splendid, aye, a stirring address on the career and achievements of Lord Napier. We regret we cannot give the speech *in extenso*, but we cannot resist the temptation of reproducing the peroration. His Excellency thus concluded:

Brave among the bravest,—foremost in the hour of danger—firm and enduring in the weary march, and in the hot pursuit, he was in times of peace the gentlest among the gentle, and he has borne with a singular modesty the many honors and well-earned distinctions which have been showered upon him by his grateful Sovereign, and of which the last has made him the first Field Marshal who ever rose from the ranks of the Indian Army. (Applause.) He never regarded his soldiers as instruments to his own advancement. He cared for them and watched over them in times of peace with the same zeal and earnestness and vigor as those with which he led them to victory in war. He loved European and Native alike, and therefore by Native and European alike he was loved. (Applause.) Surely then it is right that we should do honor to such a man—that we should hold up his bright career for the imitation of all the members of his noble profession, and it seems, therefore, to me to be eminently fitting that the statue of Lord Napier should take its place beside those of Hardinge, of Lawrence, of Canning, and of Outram, of the chiefs whom he served so well, and of the friends by whom he was so loved. (Applause.)

The Statue was then unveiled. It has been executed by Mr. Boehms, the same artist, who has executed the statue of Lord Northbrook. It is a beautiful work of art; we only wish that the artist had not brought down the helmet so low as to hide the face of the hero. Strange to say "Magdala" hss been spelt with double *l*.

WE HAVE much pleasure in giving the following extract from the Annual Report of the Royal Asiatic Society of Great Britain for 1881-82 anent Nain Sing, the Indian geographer:

Nain Singh was not a scholar; but the great work he accomplished fully deserves a record in the pages of a Society, the sole end of which is Asiatic Research. He was the greatest, if not the first, of Indian Geographical explorers: and India may well be proud of his memory. Of such stuff were the famous Chinese travellers of the fifth and seventh centuries, who then crossed the Himalyas. Let us hope his example will not be lost on his countrymen, and that they will be ready to recognize him, as Western students already gladly do—as "*Primus in Indis.*"

WE ARE glad to learn that Mr. Justice Norris has quietly dropped his new Shoe Regulation in the High Court.

IT HAS BEEN repeatedly declared that educated natives should be employed in public offices in this country for which they are qualified. The Education Department is one for which they are peculiarly qualified. But another appointment has been lately made by the Secretary of State, which shows that the Great Mogul at Westminster Hotel does not care for the promises of Government. He has just appointed Mr. Fisher to be Professor of Mathematics in the Presidency College. Was there no Indian graduate fit for this post?

WE HAVE often said that there are some overzealous officers, whose constant aim it seems to be to drag the good name of the Queen's Government through the mire. Here is a case in point. It has been brought to our notice that on the Sripunchami day, the day dedicated to the Hindu Goddess of Learning, when no good Hindu should touch pen and ink, the Hindu clerks of the Military Pay Office were made to work. They protested; they offered to come on the previous Sunday and also on the following Tuesday, which was a close holiday, but neither Col. Chitty, the Controller of Military Accounts, nor Captain Sawyer, the First Pay Examiner, would listen to them. These officers pleaded urgent work, but it so happens that urgent work not unfrequently turns up in the offices under Col. Chitty, whenever there are Hindu holidays. On the occasion of the last Durga Puja vacation it was rumoured that he wanted to deprive the Hindu clerks of their annual holiday, but a timely protest from the press restrained his aggressive hand. This time the press had no timely intimation to come to the rescue of the poor clerks. But will the Government take no steps to curb the officious zeal of this wayward official? If the deliberate orders of Government can be thus set at naught at the sweet will of subordinate officers, then they are not worth the paper on which they are written.

THE MUSICAL ENTERTAINMENT which the Hon'ble Maharaja Sir Jotindra Mohun Tagore, K.C.S.I., gave last Monday evening to His Excellency the Viceroy was eminently worthy of his illustrious guest and of himself. Nothing that could be secured by money, labour, intelligence, and taste was wanting. The whole length of the street leading to the Boitackhana residence of the Maharaja was lit up with gas, two rows of gas *cherags* running like two streams of light, lined with live chopdars with silver sticks in their hands, and the gateway bearing the motto of the Star of India of which the Maharaja is an honored Knight Commander—Heaven's Light our Guide, the house and the grounds were tastefully and beautifully illuminated and decorated, the whole scene as many a visitor remarked resembling a fairy land. The programme of entertainment prepared under the personal supervision of the Maharaja's distinguished brother, Raja Sourindra Mohun Tagore, Mus. Doc., C.I.E., was both interesting and varied. It gave the company an idea of Indian music from the highest flights to the popular *sankirtan*. The performers were carefully selected, many of whom are well-known experts. The audience were particularly pleased with *Setar, Jultarunga, Nayastarunga*, and the *Tableaux*. The guests were the *elite* of European society in Calcutta. There were His Excellency the Viceroy, the Viceregal Staff, and the ladies of Government House, His Honor the Lieutenant-Governor and Mrs. Thompson and Staff, His Excellency the Commander-in-Chief and Staff, Members of Council, the Chief Justice and several other Judges of the High Court, the Secretaries to Government, the members of the

Board of Revenue, the leading members of the bar and the mercantile community, and many other gentlemen and ladies of note. Refreshments were provided of which the guests partook [illegible] His Excellency the Viceroy did the Maharaja the honor of sitting at the table. The arrangements made were simply perfect; from beginning to end there was not a single hitch. The two brothers were unceasing in their attention to their guests. The distinguished visitors, when they left, from their expressions gave sufficient proofs of their high appreciation of the excellent entertainment they had enjoyed. The Tagore brothers are peculiarly fitted by nature, position, wealth, education and taste to play the host to the rulers of the land, and we cannot feel sufficiently grateful to them for representing the native community so worthily to the highest in the land in social festivities.

THE LAST CONVERSAZIONE of the Mahomedan Literary Society passed off with great *eclat*. The programme included an exhibition of specimens of fine arts, precious stones, illuminated objects, musical instruments, works of art, and glass-ware, and experiments of various descriptions. Some of the distinguished scientists of our town assisted in the experiments. His Excellency the Viceroy, His Honor the Lieutenant-Governor, His Excellency the Commander-in-Chief, and other dignitaries of State honored the occasion with their presence. We look upon this *conversazione* as the annual intellectual feast of the educated natives of the metropolis and its vicinity, and as might be expected it was largely attended by educated natives of all classes and creeds. We congratulate Newab Abdul Luteef Khan Bahadur on the uniform success which has attended his efforts to bring about this annual intellectual and social re-union.

BALI had a gala day last week. On last Thursday morning Mr. Beames, the Commissioner of the Burdwan Division, in the presence of Mr. Buckland, the Magistrate of Howrah, Mr. Grant, Judge of Hooghly, Mr. Carstairs, the Magistrate of Serampore, and a large assembly of European gentlemen, laid the foundation-stone of the Bali Charitable Dispensary, which the public spirited liberality of Babu Khettronath Chatterjea, a medical practitioner, has offered to the town. Grand preparations had been made, and the ceremony, which combined both Hindu and European forms, passed off with great *eclat*. We have received a full report of the ceremony too late for insertion in this issue. An address was presented to Mr. Beames, who returned an excellent reply. He commended the public spirit of the people of Bali, and in conclusion gracefully suggested an inscription in Sanskrit composed by himself for the record of the charity of Babu Khettronath Chatterjea.

WE ARE GLAD to observe that the Suburban Rate-payers' Association have addressed the District Magistrate of 24-Pergunnahs regarding the constitution of Municipal benches in the suburbs. They point out that in the case of *Wood vrs. Corporation of Calcutta* the High Court held that Municipal Commissioners and their servants should not sit on the Police Bench for the trial of municipal cases. The new Criminal Procedure Code has, however, removed this disqualification. Nevertheless the practice is reprehensible. In Calcutta the practice has not been revived. The Rate-payers' Association point out that the disqualification of servants of Municipalities is not removed by the Criminal Procedure Code. It is certainly highly objectionable that the executive officers of a Municipality, who are actually prosecutors, should be judges of their own proceedings. The Association dwell on the mischievous effects of the working of the present pernicious system and give some facts. We confess we have not so much objection to the sitting of Municipal Commissioners on the bench for the trial of municipal cases as to that of Municipal executive officers. We hope the Government will remove this scandal. The Association ought to have gone up to Government on the subject.

WE ACKNOWLEDGED last week Babu Nilmoni Mookerjee's Sanskrit Reader Sahitya-Parichaya. Its distinctive features are as follows:

The 'Sahitya-parichaya' contains more prose, and a greater variety of topics than any other book of a similar character.

The stories comprised in it bear mostly on historical or semi-historical events of ancient India.

The prose portion of this book except the 'Buddha-charita' belongs to a comparatively modern period of Sanskrit literature and will be understood by the beginner with less difficulty and greater advantage to himself.

On these grounds the compilation is well calculated to make a good text-book for University Examinations. The editor in our humble opinion has made two mistakes, firstly by making alterations in Budha-charita, which is taken from the Lalitavistara, with a view to avoid repetitious and to secure condensation, and secondly by expunging here and there "archaic and obsolete expressions." We are of opinion that classic works ought to be presented to the reader in their naked beauty. The "archaic and obsolete expressions" may be explained in foot-notes. We dare say the compiler will correct these mistakes in the next edition of his work. In the meantime we have no hesitation in saying that the compilation shews much research, reading, care and judgment. Both Messrs. Cowell and Tawney speak highly of it.

WE ARE GLAD to learn that the Lieutenant-Governor has sanctioned privilege leave to Mr. Jones for one month, which he proposes to devote to the work of the Municipality in furtherance of the labours of the Sanitary Committee. The compliance with the application of Mr. Jones we take it is an indirect answer from Mr. Thompson to the memorialists, who seek to supersede the action of the Corporation, that their prayer, to say the least, is quite inopportune. We may go further and call it a rebuff. Mr. Jones has already commenced work in right earnest, as an advertisement in an other column shews.

We observe that Babu Rajkissen Sen, Barrister-at-law, who is Munsif of Sealdah, has been appointed to act for Mr. Jones, as Registrar of the Calcutta Small Cause Court, for one month. This is a good selection. Babu Rajkissen Sen is the eldest son of the late Babu Madhub Chunder Sen, Dewan of the Bank of Bengal.

WE THANK Babu Sasibhusun Chatterjee for a copy of his "Student's Bengali Atlas of Modern Geography." The compiler has gone to great expense in preparing the maps. This is the first attempt to produce copper plate and coloured maps in Bengali. They have been executed with great care and labour. The best maps we have in Bengali are those prepared as a labour of love by Dr. Rajendralala Mitra for the benefit of the Calcutta School-Book Society, but they are lithographed.

WE HAVE before us a memorial of Babu Poreshnath Sukul, late Deputy Collector, Bengal. This officer was one of the many victims of the notorious Road Cess defalcations of Nuddea. All of them have been punished more or less. The Babu was told to retire on pension. Accordingly he filed his pension roll, but as he was at the time dangerously ill he forgot to file the usual medical certificate with it. For this mistake, which was quite accidental, he is now deprived of his pension. The following order was passed on his petition to the Bengal Government dated the 24th January 1882:

Ordered that Babu Poresh Nath Sukul be informed that as his retirement was due to his having forfeited the confidence of Government by showing himself to be utterly unfit for any position of responsibility or trust, he has not fulfilled the conditions of award of any of the classes of pensions mentioned in Section 99 of the Civil Pension Code, and is therefore not entitled to any pension or gratuity for his past service.

He made a second petition praying for reasons stated a reconsideration of his case, but the Lieutenant-Governor intimated that he "declined to reopen the question." The whole question turns upon the following letter to the Babu:

From W. H. M. Gun, Esq., Joint-Magistrate in charge.

To Babu Poresh Nath Sukul, Kishnaghur.

Dated Kishnaghur, the 20th December, 1880.

Sir,—With reference to Bengal Government No. 2652 of 23rd November 1880, para 11, I have the honor to inform you that His Honor the Lieutenant-Governor has been pleased to direct you to apply for pension or gratuity as you may be entitled to under the Rules for your culpable negligence and indifference to your duties in connection with the defalcation case of Benigopal Mukerji. The Lieutenant-Governor remarks that you have forfeited the confidence of Government and have shewn yourself entirely unfit for any position of responsibility or trust.

If you do not avail yourself of the option of applying for pension or gratuity, His Honor will be pleased to take measures to remove you from the service.

It was upon this order that the application for pension was made, and now the Government refuses to act upon its own order. What a moral! We hope the Government of India will do justice to the poor sufferer.

WE HAVE received the following telegram from Jorehat:

An influential deputation appointed by the Public Meeting held at Jorehat on the 10th instant was cordially received by the Chief Commissioner to-day. An address was presented on the proposed land laws for Assam and thanks were given to the Chief Commissioner for extension of Local Self-Government in Sibsagar district and for giving opportunity to express public opinion on the above laws. Mr. Elliott was glad of the remarks and admitting the validity of several amongst them promised careful consideration in regard to Local Self-Government. The Chief Commissioner asked the members to try and interest the people on the subject and make the policy of Government successful, and expressed his hope that the officers under his administration would cordially support the views of Government. This I believe to be the first deputation waiting upon the Local Government in Assam.

THE ANNUAL distribution of prizes to the pupils of the Oriental Seminary is not a mere formal ceremony but an intellectual *soiree*. The last distribution took place on Saturday last, Mr. Justice Norris presiding. The *elite* of the Native community were present on the occasion. The proceedings commenced with some songs; there were then recitations; the prizes were next distributed by Mr. Justice Norris, and the ceremony was wound up with an address from the chair. Mr. Justice Norris is not a happy speaker; he touched upon all manner of subjects, but on nothing in particular. He prefaced by saying that he did not like smooth words, and so he gave a bit of his mind to his audience by remarking that the people of this country were not truthful—that there was "an enormous amount of perjury in this land." We do not wish to be hard upon Mr. Norris, because he began by apologizing that he was a new comer, and had no experience of the country. It would have been well if he had held his tongue upon a subject, which affected the national character of the people, and regarding which he had but scant experience. As Babu Bhairub Chunder Banerjea, the Secretary to the Seminary, in proposing thanks to the chair, said by way of protest, which was mild, considering the circumstance under which it was made, a court was not a proper school for one to take lessons in on the national character of a people. We will not say more, but perhaps Mr. Norris, who was himself connected with education in England, can conceive what reception English boys would have made to a stranger, if he, while enjoying the honor of distributing prizes to them, had vilified their national character. Sir Mordaunt Wells had to cut short his career in India because he used to traduce the character of the people from the bench. But let that pass. We have no doubt that the impetuosity of Mr. Norris will wear away as he will gain experience. He professes to be a pupil of John Bright, and we hope he will keep in view the noble example of that sincere and devoted Friend of India. The ceremony broke up with the Natural Anthem in Bengali.

WE TAKE from the *Statesman* the following extract from the proceedings of the last sitting of the Vice-Regal Council:

The Hon'ble KRISTODAS PAL said: My Lord,—Before the last amendment is put to the vote, I wish, with your Lordship's permission, to make a few general remarks. In the first place, I desire to express my high appreciation of the enlightened and liberal spirit in which changes in the Rules of Business of this Council have been proposed to-day. The primary object of these changes, as the hon'ble and learned member has explained, is to afford the public a better and fuller opportunity to discuss the measures laid before this hon'ble Council. I will not go over the grounds which have been already traversed by the hon'ble and learned member in proposing the changes in question, but I submit that the public feel deeply grateful to your Excellency's Government for the steps that are being taken to give a wide publicity to legislative measures, to enlist the co-operation of the Press in their discussion, to educate

and strengthen public opinion and thus to legislate in the broad light of day.

While upon this subject I venture to invite the attention of your Excellency and of the hon'ble Council to some points connected with the Rules of Business of this Council. Rule 9 provides that after a motion is made, the debate shall be opened by the junior member, who shall be followed by the other members in consecutive order. Although I am the youngest member of this hon'ble Council, and have had no experience of the working of its rules, still it strikes me that this rule is a source of much practical inconvenience. It may happen that after the mover of a motion has spoken the junior member may quite concur with him, and may have therefore little to add to what has been already said; but after hearing other members who may object to the motion, he may wish to answer them, but under this rule he will tongue-tied. He must speak first or not at all. Practically, therefore, the junior member and those immediately above him are put under a bann. I am not aware of any legislative assembly, society or corporate body, which has such an inexorable rule. I think this rule requires amendment.

The next point is the publication of a bill when material alterations have been made in it by the Select Committee to which it may have been referred. Already a motion has been carried to-day, that if in any case the Select Committee should recommend the publication of the amended bill, it should be published for general information. I make no doubt that the Select Committees will act in the spirit in which the new rule has been made, but supposing that in any case a Select Committee should act otherwise, surely any member of the Council ought to be at liberty to move that an amended bill should be published for the reason stated. I think it necessary to mention that considerable dissatisfaction is now and then produced in the public mind on the score of scant opportunities allowed to the public for the discussion of a bill at the last stage, though radical alterations have been made in it at that stage. The rules of the old Legislative Council, better known as Lord Dalhousie's Legislative Council, were more liberal in this respect.

Rule 35 of the old Council ran as follows:—

"LXXXV. Any member may likewise move in Council that the draft be republished for general information, on the ground that the amendments which may have been adopted are of so new and important a nature, that the act ought not to be passed without being previously published for general information; and if the motion be carried, the amended bill shall be published, and notice may be given of a day on which the third reading and passing of the bill will be moved."

Re-publication for general information.

I would humbly recommend the adoption of this rule and extend it to bills when they have been subjected to material alteration by a Select Committee.

The hon'ble speaker then proceeded to point out the absence of a rule to permit private individuals to be heard by Counsel in respect of private or personal bills as under Rule 29 of the old Legislative Council.

Here a question of order was raised by the Hon'ble Mr. Hope.

His Excellency the PRESIDENT: Strictly speaking no doubt the hon'ble member is out of order in referring to portions of the rules not before the Council. I was going to make that remark myself afterwards; but I thought that as this is the first occasion on which we have had the pleasure of hearing the hon'ble member addressing us in this Council I should be acting in accordance with the wishes of the Council if I did not interrupt him. Strictly speaking, Mr. Kristodas Pal can only speak on the motion before the Council at this moment; but of course it is open to him to make suggestions to Government on the points on which he desires to represent his views.

If my hon'ble friend Mr. Hope maintains his objection I must rule in his favour, but I was anxious to hear what my hon'ble freind Mr. Kristodas Pal had to say.

The Hon'ble Mr. Hope remarked that there was considerable inconvenience in discussing in the Council matters which were not before it for discussion.

His Excellency the PRESIDENT: Then if objection is taken, I must rule my hon'ble friend out of order. At the same time, I hope that he will do us favour of indicating his views to the Government on the points to which he desires to draw attention, and I can assure him that they shall receive full consideration.

The Hon'ble Mr. ILBERT then gave notice that later on, he would move minor amendment, viz., that, in Council, the Lieutenant-Governor should take a seat opposite the President, who should have on his right the Commander-in-Chief, and on his left the Junior member, whilst the others arranged themselves in the order of seniority.

His Honor the LIEUTENANT-GOVERNOR suggested that whilst speaking honourable members should stand but the suggestion was not favourably received and his Honor was ruled out of order.

The Council then adjourned to Friday next.

With reference to the above the *Englishman* remarks:

The inconvenience of adhering strictly to the technical rules for the conduct of business in the Legislative Council, which prohibits a member from speaking on any matter not immediately, though it may be remotely, connected with the motion before the Council, was strikingly illustrated yesterday in the Legislative Council, when, through the interposition of Mr. Hope, the Viceroy was obliged to rule Mr. Kristodas Pal out of order in addressing some useful suggestions to the Council regarding a portion of the rules of business relating to the publication and discussion of legislative measures. His Excellency and other members of Council were of course as well aware as Mr. Hope that Mr. Kristodas Pal was not precisely in order in discussing rules cognate with those placed upon the list of business. As a matter of fact, the President subsequently explained that such was the case, and that he intended to tell Mr. Kristodas Pal so when he had concluded his remarks, His Excellency's reason for not interrupting him being that he was anxious to hear what he had to say on the points that he was raising. We cannot help feeling too that, on this occasion, when the subject matter under discussion was one in which the public are greatly interested, the rule might fairly have been relaxed in the speaker's favour. As the matter now stands, Mr. Kristodas Pal will probably submit his views to the Government on paper; and the public will probably have no opportunity of learning what they are, or what action, if any, is likely to be taken on them, which would have been the case had the discussion been allowed to proceed in the Legislative Council.

DR. DE JONGH'S LIGHT-BROWN COD LIVER OIL.—ITS UNEQUALLED EFFICACY IN DISEASES OF THE THROAT.—Sir G. Duncan Gibb, Bart., M.D., L.L.D., Physician and Lecturer on Forensic Medicine, Westminister Hospital, author of various works on Diseases of the Throat and Larynx writes:—"The experience of many years has abundantly proved the truth of every word said in favour of Dr. de Jongh's Light-Brown Cod Liver Oil by many of our first Physicians and Chemists, thus stamping him as a high authority and an able Chemist whose investigations have remained unquestioned. Its value, therefore, as a therapeutic agent in a number of diseases, chiefly of an exhaustive character, has been admitted by the world of medicine; but, in addition, I have found it a remedy of great power in the treatment of many Affections of the Throat and Larynx, especially in Consumption of the latter, where it will sustain life when everything else fails. Dr. de Jongh's Light-Brown Cod Liver Oil has an agreeable flavour, is very palatable, and liked by children; hence its value in the third stage of Hooping-Cough, when it acts as a restorative and tonic." Dr. de Jongh's Light-Brown Cod Liver Oil is sold only in capsuled imperial half-pints, pints, and quarts, with his stamp and signature and the signature of his sole consignees on the capsule and the label under wrapper, by all chemists, druggists and store-keepers. Sole Consignees, Ansar, Harford and Co., 77, Strand, London.

ACKNOWLEDGMENTS.

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For " Kopileshur Bhattacharjea, Julpigoree Rs. 4, Read	6	4	0

Government Notifications

Calcutta Gazette,—*February*, 14, 1883.

GENERAL.—6th Feby—Mr R M Towers, Dist and Sess Judge, Tipperah, to act, in first grade of Dist and Sess Judges, from 19th ult,

Mr H J Newbery, Offg Magte and Colr, Rungpore, acted in first grade of Magtes and Colrs from 21st to 24th ult.

Mr C H Vowell, Offg Magte and Colr, Patna, acted in second grade of Magtes and Colrs from 21st to 24th ult.

7th Feby—Baboo Srinath Gupta, Tempy Depy Magte and Depy Colr, Jupigoree, leave for six months, from date he may avail himself of it.

Baboo Annodaprosad Sen, Tempy Depy Magte and Depy Colr, Rungpore, on leave, is transfd to Julpigoree, and is posted to the Sudder Station of that dist, during absence of Baboo Srinath Gupta

8th Feby—Baboo Gobinprosad Sookool, Offg Depy Magte and Depy Colr, Jupigoree, leave for two months, from date he may be relieved.

Baboo Opendrochunder Mozoomdar, Depy Magte and Depy Colr, Rajshahye, is transfd to Julpigoree, and is posted to the Sudder Station of that dist, during absence of Baboo Gobind Prosad Sookool.

9th Feby—Mr P D Dickens, Dist and Sess Judge, Nudden, reported his departure from India, on furlough, on 22nd Jany 1883.

Mr J Whitmore, CS, reported his departure from India, on furlough, on 22nd Jan, 1883.

Baboo Hurry Mohun Chandra, Secd Pers Asst to the Comr of the Rajshahye and Cooch Behar Divn, returned to duty on forenoon of 3rd Feby, 1883

10th Feby—Baboo Obhoychunder Das Depy Magte and Depy Colr, 24-Perghs, leave for one month from 14th inst, or subsequent date.

In supersession of order of 4th ult, Baboo Bunkimchunder Chatterjee, Depy Magte and Depy Colr, Jajpore, Cuttack, is posted to Howrah.

Baboo Gopikrishna, Tempy Sub-Depy Colr, Pakour, Sonthal Perghs, leave for one month and four days, from date he availed himself of it.

Mr T E Coxhead, Magte and Colr, Dinagepore, special leave for six months, 2nd prox, or subsequent date.

The services of Mr F W Badcock, Jt-Magte and Depy Colr, 24-Perghs, are placed temply at the disposal of the Revenue Dept of this Govt.

12th Feby—Orders of 13th ult and the 12th Decr last, posting Tempy Sub-Depy Colr Baboo Rashbehary Dutt to Purneah and to Deoghur in Sonthal Perghs, respectively, are cancelled.

13th Feby—Baboo Umbicachurn Roy Chowdry, Depy Magte and Depy Colr leave for six months, in extension of leave granted 1st Aug, 1882.

Advertisements.

Wanted a graduate of the Calcutta Medical College, who is in practice, for the United Medical Association "Limited" Chinsurah, salary Rs. 50 per month with free quarters. Apply to the Joint-Secretary.

NOTICE.

Annotated Editions of the poetical portion of the First Arts Course (English) for the year 1884, with numerous notes and a paraphrase, by Joy Kissen Sen M.A., Professor, Albert College, are now ready and are available at the prices noted against each:—

Goldsmith's "Traveller" (p.p. 74)—12 Annas, Postage ½ anna.

Milton's "Paradise Lost, Book I" (p.p. 127)—Re. 1-4, Postage ½ anna.

Apply to the Editor, 61, Mirzapore Street; Canning Library, 55, College Street; B. Banerji and Co., 25 Cornwallis Street.

A. B. Scott's "Lady of the Lake" is in the press.

JOY KISSEN SEN,
61, Mirzapore Street.

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The Ward Commissioners of Ward No. 1—Babu Gopal Lall Mitter and Babu Nilmoney Mitter, will sit with Mr. Jones, (Member, Sanitary Committee), at No. 121, Cornwallis Street, from 7 to 9½ A. M., on Saturday, the 24th instant, for the purpose of receiving any representations which the Rate-Payers of this Ward may desire to make regarding the Town Conservancy and Municipal improvement.

Calcutta, 17th February, 1882.

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